

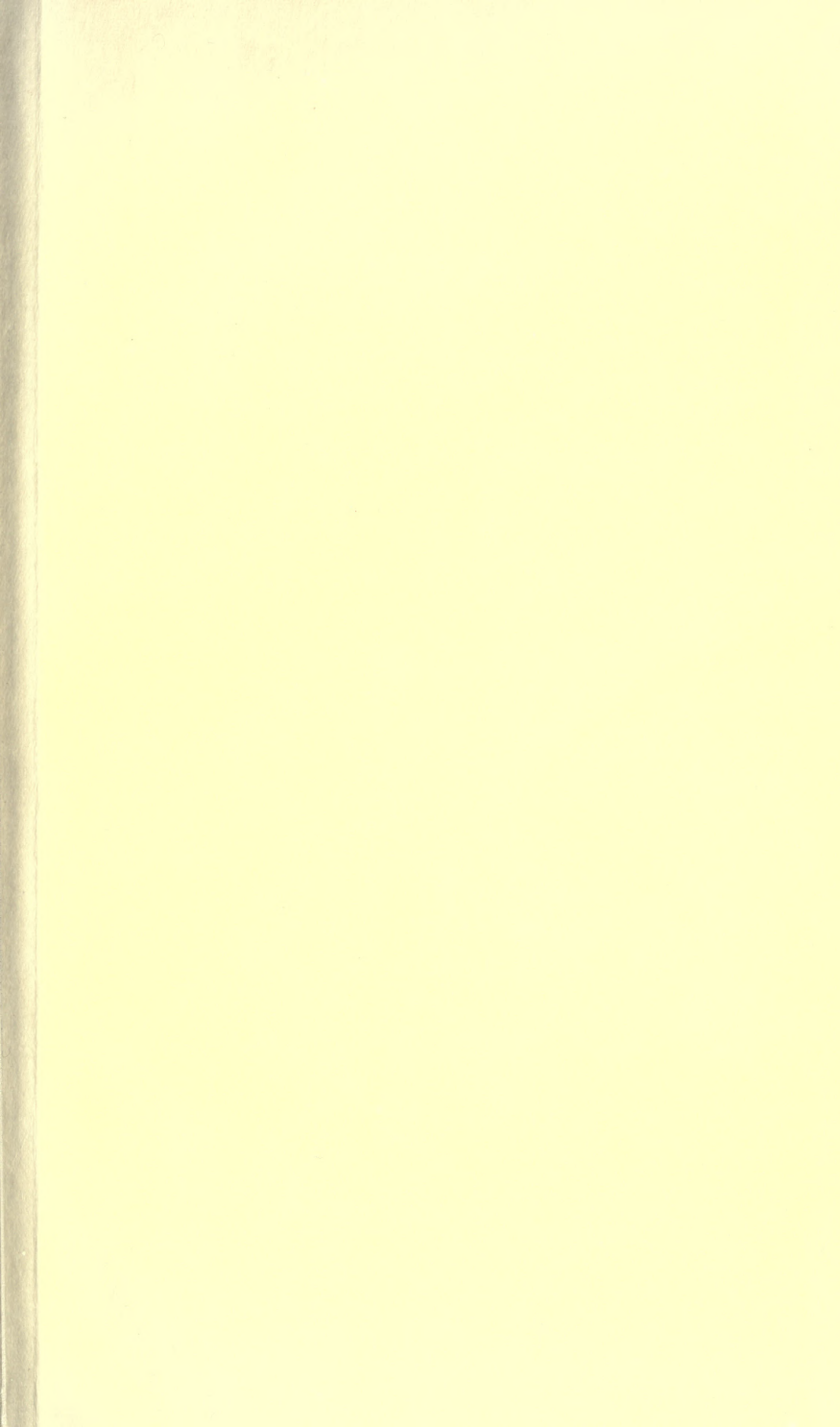


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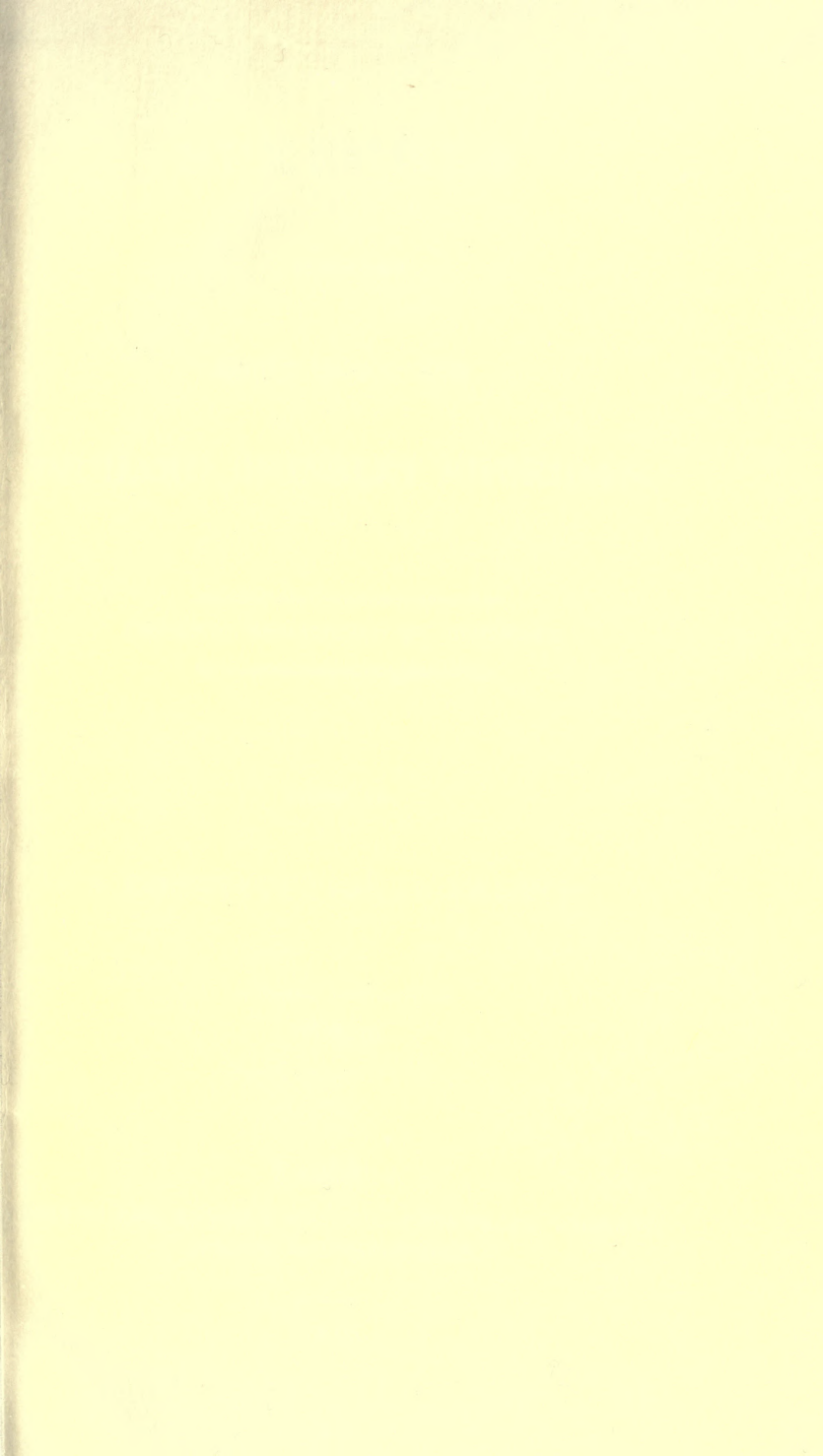
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SPEECHES

OF THE LATE

Right Honourable

RICHARD BRINSLEY SHERIDAN.

(SEVERAL CORRECTED BY HIMSELF.)

EDITED BY

A CONSTITUTIONAL FRIEND.

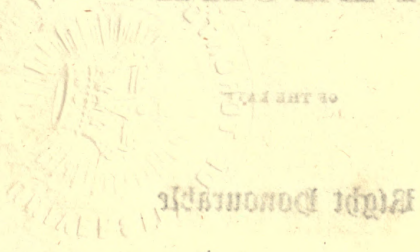
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1816.

SPEECHES



RICHARD BRINSLEY SHERIDAN

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1816

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GENERAL CORRECTED BY HIMSELF

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A CONSTITUTIONAL FRIEND



TOL. II.

London:

PRINTED BY W. SMITH AND CO. KING STREET, SEVEN DIALS.

1816

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SPEECHES

OF THE

RIGHT HONOURABLE

RICHARD BRINSLEY SHERIDAN.

FEBRUARY 11, 1788.

PROCEEDINGS AGAINST ELIJAH IMPEY.

The order of the day, for the house to resolve itself into a committee to hear witnesses on charges exhibited against Sir Elijah Impey, having been read, Sir Gilbert Elliot moved—"That Mr. Farrer, a member of the house, be examined in his place." Mr. Farrer said, he felt no objection to be examined, provided it was at the desire of both parties and of the committee, but that he would, on no account, consent to be considered as the witness either of the accusers or of the accused. It was then proposed to call Sir Elijah to the bar, and ask whether he had any objection to having Mr. Farrer examined; but

MR. SHERIDAN observed, that if such a measure was adopted, it would put the house into a most embarrassing situation, as it would be difficult for them to proceed, in case Sir Elijah Impey should refuse to consent. Mr. Sheridan added, that the honorable gentleman had already informed the committee that he had it in his power to throw more light upon the subject of the first charge, than any man living; and if it was declared to be the sense of that committee, he had no objection, he would therefore move to declare that it was the sense of that committee that Mr. Farrer be examined.

The motion was carried.—Mr. Farrer then proceeded to give his evidence, and began a regular detail of all the circumstances of Nundcomar's case, tracing them from the first time of their agitation, before Sir Elijah Impey's arrival in India, down to the arraignment of Nundcomar, on an indictment for perjury in the Supreme Court of Judicature. In the early part of the narration, Mr. Farrer stated that he had in his hand a warrant, on the back of which was written, by an attorney, an account of the conversation of the judges, upon application to them to grant a writ of habeas corpus to Nundcomar. Mr. Farrer said, the gentleman who wrote the account was gone to India, but that he knew it to be his handwriting. Having said this, he read the account, and it was taken down by the clerk at the table. Mr. John Scott then rose, and seriously declared his conviction that this former objection was right, and that the witness ought not to have been suffered to give his testimony in any other way but in answer to such questions as might have been put to him. Mr. Scott declared the paper just read would not have been received in any court in the kingdom, since it was not evidence, but a mere hear-say account of a conversation. Mr. Scott enlarged upon the established law of evidence, and upon the necessity of strictly adhering to it in all proceedings in any sort leading to a judicial determination. This gave rise to various remarks concerning the nature of the proceeding upon which the committee were then engaged. Mr. Fox maintained that the paper just read was a proper paper to be upon the table, considering the nature of the present proceeding; and declared it was not a proceeding at all analogous to any legal measures in the courts of Westminster Hall; nor was the house at all bound by the rules of legal evidence. He also observed, that he felt it impossible to speak of lawyers in the highest terms of praise, when he saw them coming down in a body, to puzzle and confound the members of that house, by advancing rules of law practice, in cases where they did not apply; and he reminded the committee that the house had, on various occasions, exerted its authority, and even gone so far as to punish the judges by impeaching them for misconstruction of the laws of the land. Mr. Bearcroft observed, that he could not avoid expressing his astonishment at the illiberal obloquy with which the right honourable gentleman opposite to him had treated a whole profession. He added, that if he was to lay his finger upon the particular point that had raised the practice of law in this country so high in the estimation of all the world, it would be upon the law of evidence. He took notice of Mr. Fox having said he was bred in that house, and declared, if his late speech was to be taken as a proof of that breeding, he desired no more of it. He next entered into a justification of the gentlemen of his profession from the charge of being actuated, on the present occasion, by an esprit du corps. Was it, he said, to be wondered at that lawyers should appear anxious to attend the agitation of a charge against a lawyer of long standing, and unsullied character; and that charge as black a one as ever was imputed to any man, or even any lawyer?

Mr. Sheridan remarked, that the honorable and learned gentleman, he perceived, was desirous of not only teaching that house the law, but breeding, and he wished still farther to teach them French. He could not but admire the comical sort of argument which the honorable and learned gentleman had used in justification of his profession. He had said every thing handsome of them, and followed his encomium, by adding, whimsically, that the charge against Sir Elijah Impey was as black as could be brought against any man; nay, against any lawyer. Mr. Sheridan declared that he could not pass over in silence the reflections on his right honorable friend (by the Chancellor of the Exchequer and Mr. Bearcroft) for a speech, which, he thought, did his right honorable friend infinite honor. He was sure his right honorable friend had meant nothing personal; but was it to be wondered at, if, in his zeal to defend the privileges of that house, he should reprobate the attempt to mix the practice of the law courts in their proceedings, to which they were utterly inapplicable? The paper in question Mr. Sheridan declared to be, in the true sense, of the words, good evidence; for what was good evidence, but that which was applicable to the end to which it was applied, and which the court, before whom it was exhibited, was competent to receive. Different courts, it was well known, had different powers; and what would be evidence in one court, would not be evidence in another. Thus, what was evidence in the Court of Chancery, would not be evidence in the Court of King's Bench, nor would that testimony that was good evidence on a trial for felony be admissible on a trial for high treason. Mr. Sheridan took notice that the Chancellor of the Exchequer had, with all that wonderful power of words for which he was so celebrated, pronounced a swelling panegyric on the honorable and learned gentleman near him (Major Scott), but he had given his argument and his conviction to his

right honorable friend, declaring he adopted the principles which his right honorable friend had laid down. Upon such conditions he was persuaded his right honorable friend would gladly compromise for the future with the right honorable gentleman.

At length Mr. Farrer was desired to proceed; and at eleven o'clock the committee adjourned.

FEBRUARY 15.

LIBEL ON THE COMMITTEE APPOINTED BY THE HOUSE TO MANAGE THE PROSECUTION OF MR. HASTINGS.

Mr. Fox moved—"That a pamphlet, entitled, 'A review of the principal charges against Warren Hastings, Esq.' contains matter disrespectful to His Majesty, and scandalous and indecent paragraphs, reflecting on the motives which had induced this house to impeach Warren Hastings, Esq. of high crimes and misdemeanors." The principal passages from which this charge was deduced, ran thus:—"Such an exertion of public virtue, (the impeachment of Mr. Hastings), if to public virtue it shall be referred, is indeed

"Above all Greek, above all Roman fame;"

and will furnish a memorable example to future times, that no station, however elevated; no abilities, however splendid; no services, however beneficial or meritorious; that not even the smile of the sovereign, nor the voice of the people, can protect a British subject from impeachment, and a public delinquent from punishment if found guilty."

"For the future when any officer should return home from a situation of responsibility, his only hope must be in joining a powerful faction; for his services, let them be ever so high, or his loyalty, be it ever so exemplary, would be insufficient for his security."

Mr. Pitt moved an amendment that the words, "His Majesty," be left out of the resolution.

Mr. SHERIDAN maintained, that the last sentence of the passage "and a public delinquent from punishment," was a clear and convincing proof, that the whole referred to Mr. Hastings's present enjoyment of the smiles of the Sovereign; and insinuated, that an impeachment was a mode of prosecution that did not leave the Sovereign his power of granting mercy after conviction. Mr. Sheridan,

in the course of his speech, answered the Chancellor of the Exchequer's observations, that the present station of Mr. Hastings as a person impeached by the Commons of England of high crimes and misdemeanors, was not a very exalted one, by remarking, that till Mr. Hastings should be convicted of the charges, of which he stood impeached, his station was not, in the eye of the law, reason, or common sense, to be considered as a station of degradation.

Upon the question being put, the house divided; ayes (for the original question) 66; noes 132. The amended question was then put and agreed to.

Mr. Fox immediately rose, and declared that he still entertained his opinion, that unless in cases of public libel, or of a libel on the government at large, or legislature collectively, he did not think it becoming in that house to resort to the crown lawyers, as the instruments of prosecuting libels affecting themselves, interfering with their proceedings, or implicating a breach of the privileges, he moved,

"That an address be presented to His Majesty, most humbly to desire, that he will be graciously pleased to give directions to His Majesty's attorney general to prosecute. The motion was agreed to nemine contradicente."*

MARCH 5.

DECLARATORY EAST INDIA BILL,

During the apprehensions, which had existed in the course of last year, of a rupture with the Court of France, Government had taken a resolution of sending our four additional regiments to India, on board the company's ships, for the protection of our possessions in that quarter, and the proposition had been received with equal approbation by the court of directors. But in the mean time the storm having blown over, and government still adhering to their resolution of sending out four regiments with a view to form a permanent establishment of His Majesty's troops in India, a question had arisen respecting the expense of sending them out, and of their future payment. By an act which passed in 1781, it was stipulated that the company should be bound to pay for such troops only as were sent to India upon their requisition, and upon this act the directors had refused to

* Mr. John Stockdale, the publisher of the pamphlet was tried the 9th of December, 1789, and found not guilty.

charge the company with the expense of the troops in question. But it was contended by the Board of Controul, established in the act of 1784, that the commissioners of that board were invested with the power of directing in case of a refusal of the company, such expense to be defrayed out of the revenues arising from their territorial possessions. Upon this case the court of directors had taken the advice of several eminent lawyers, who were of opinion that the Board of Controul was not invested by the act of 1784, with the power contended for, and the directors had accordingly refused to take troops on board the ships that were about that time to sail for India. Upon this ground Mr. Pitt moved the house on the 25th of February for leave to bring in a bill for removing the doubts in question by declaring the intention of the legislature in the act of 1784, to have been agreeable to the construction put upon it by the Board of Controul. After a long debate this motion was carried without a division; and on its second reading, upon the 3rd of March, the East India Company were heard by their counsel against the bill at the bar of the house.—On the motion “that the speaker now leave the chair,” Sir Grey Cooper rose and opposed it.—This brought on a long debate.

Mr. SHERIDAN observed, that no man was more disposed to listen to the honorable baronet's (Sir James Johnstone) pleasantry than he was; and, though he wished that he had treated the present question with a little more gravity, he was convinced he was actuated by a serious principle at bottom. The honorable baronet had whimsically enough compared the difference between the Board of Control and the Court of Directors to a matrimonial wrangle. He had always been taught that it was not safe to interfere between man and wife—though he, for once, would hazard the experiment; trusting that it was a marriage according to the laws of Scotland, where the misconduct of either party was held to be a sufficient ground for divorce.

With respect to the question before the house it was one of the most important that could come under their deliberation. It not only affected the charters of individuals, and of parties, but it went to affect the character of parliament, in violating the faith of its statutes, by a system as corrupt as it was dangerous to the most sacred and dearest interests

of the constitution of a free people. He admitted that the Chancellor of the Exchequer had stated the object of the declaratory bill fully and fairly; but it was a bill, the principle of which he denied to be founded on the bill of the year 1784; and if it was not proved to be clearly so, it was impossible that the house could agree to adopt it as a law explanatory of the powers of that bill. If the Board of Control wished to grasp at new powers and new patronage, why did they not come forward with a new bill? But they did not dare to meet the question openly and fairly; well knowing that it would have exposed them to all the calumny which they themselves had so liberally bestowed on the violators of chartered rights! The board had wisely adopted a mercantile idea in suffering the company to deliver up their rights and privileges by instalment.

But the right honorable gentleman (Mr. Pitt) had, with his usual plausibility, declared, that they wished to be armed with no powers that were not subject to the control of parliament: What did this declaration amount to? They only wished to have the military patronage of India in their hands, under the control of parliament!—*Control* was, indeed, a word not in very good repute at present;—but to talk of the control of parliament over an army which was not paid by parliament, was too ridiculous to need any comment;—and yet such was the controlling power which the right honorable gentleman had desired might be set over him. Undoubtedly, if he had spoken of the army on the British establishment, he would have been warranted in saying that it was subject to the control of parliament, because the king had no other means of paying that army but by coming to parliament for the money. Here the case was widely different, for the regiments now proposed to be sent to India were to be paid, not by parliament, but by the territorial revenues of the East India Company.

But what was still more extraordinary (and he desired the house to attend to it) by the last clause of the act it was declared to be in the power of the commissioners for managing the affairs of India, to send as many troops as they might think necessary for the security of our possessions in that quarter of the globe. The clause was worded in the most unqualified terms; they might even send to India an army of ten thousand Hanoverians, or any number of mercenaries collected, as the Earl of Chatham emphatically said, from the *shambles* of Germany, thus giving to the executive government the monstrous and unheard-of patronage of a foreign army not paid by parliament. He desired gentlemen to pause before they came to a vote on a question pregnant with such danger to the state.

He confessed that he was not a little surprised to find a renewal of invectives against the bill brought forward by his right honorable friend (Mr. Fox.) Considering the strong measures which the present bill goes to embrace, he rather expected to have found the severity of some gentlemen softened into phrases more conciliatory. He remembered that an honorable gentleman had once compared the India board constituted by that bill, to seven doctors and eight apothecaries administering to the health of one poor patient—but their prescriptions were more palatable than the dose now mixing by the learned doctor of control, who, in the true spirit of quackery, desires his patient to take it; that he has no occasion to confine himself at home, but that he may safely go about his business as usual. This sovereign remedy, he said, would no doubt soon be adventured under the popular name of “Scots pills for all sorts of oriental disorders.” Mr. Sheridan then took a comparative view of the merits of the two India bills, in which he paid a compliment to the manly and decided conduct of Mr. Fox, in opposition to the crooked policy which had led to the discussion of the question then before the house. It

was very remarkable that when the right honorable gentleman introduced his bill, he prefaced it with a speech, declaring that it had been fully explained to the directors, and that they approved of it. This he now was inclined to doubt, otherwise it would be difficult to account for the declaratory bill. But perfection was not the lot of humanity. This was the seventh perfect system which had been introduced for the good government of India, and still there was much to do.

Mr. Sheridan here read the titles of the various acts which have from time to time been introduced by Mr. Dundas, and as often repealed, altered, or amended; one of which was "an act to obviate all doubts which have arisen, or may in future arise, respecting the government of India."

He then proceeded to animadvert on the interference of the Board of Control with the patronage of the company, not only in the civil and military, but in their commercial concerns; and read extracts from their correspondence in support of his assertion. He compared the Board of Control, the Court of Directors, and the body of proprietors, to the *Dramatis Personæ* of Swift's Tale of a Tub, and concluded with an appeal to the feelings of the house on the situation of the officers of the East-India Company, who, if the present bill should pass into a law, would suffer degradation and disgrace, not only in their own opinion, but in the eyes of those whom they had often led on to victory.

The house divided; ayes (that the speaker leave the chair) 182; noes 125. The house then went into a committee, and Mr. Steele was ordered to bring up the report on the following day.

MARCH 7.

DECLARATORY EAST INDIA BILL.

Mr. Steele having intimated from the bar that he held in his hand the report of the committee of the whole house to whom the declaratory bill had been referred. The speaker put the question "That the report be now brought up."

Mr. SHERIDAN declared that considering the ground of objection upon which he and his honorable friends had argued the bill, it was impossible for them to suffer the report to be brought up without a violation of all consistency whatever.

Mr. Pitt then rose and addressed the house at great length in support of the bill. In the course of his speech he observed that Mr. Sheridan, "in most of whose speeches there was much fancy, in many shining wit, in others very ingenious argument, in all great eloquence, and in some few truths and justice, had on Wednesday remarked that it was extraordinary that he who had stood up the strenuous assertor of the prerogative of the crown, should profess himself an advocate for the bill of rights and the defender of the liberties of the people. That he had stood up the strenuous assertor of the just and legal prerogative of the crown when a most daring attempt had been made to invade that prerogative and trample on the constitutional rights of His Majesty, would ever be his pride and his boast; and he could not help thinking that his having done so by no means disqualified him from standing forward as an advocate for the rights and liberties of the subject when they appeared to be at all in danger."

Mr. Sheridan observed that the right honorable gentleman who spoke last, had been pleased to compliment his fancy, his abilities, and his eloquence, but had added, that he seldom employed them either with reason or truth. He rejected such compliments with scorn; assuring the house, that whenever he troubled them, he endeavoured to do it consistently, with a most rigid regard to truth and justice. He conceived, he might with truth retort the accusation on that right honorable gentleman, because, if ever there was a person who deserved such compliments, that right honorable gentleman might advance the most unquestionable claims. No

man could be more clear and eloquent when he pleased ; no man, when he wished to conceal his meaning, could veil it in greater elegance of language, or involve his sentences in a finer disguise of obscurity, when he wished to conceal that he had no meaning at all. The right honorable gentleman had charged those on that side of the house with being enemies to the prerogative of the crown, and had asserted his claim at the same time to be not only the champion of prerogative, but the protector of privilege. If he meant to call gentlemen the enemies of prerogative, because they were not like himself, the friends of a dark, concealed, and secret band of advisers, who, sculking behind the throne, were the main spring and source of attack upon the constitution, and of danger to the throne itself: if he meant, that because they objected to entrench upon the valued privilege of that house, and disdained to see the dignity of another insulted by a mean, gross, and scandalous system of transacting public business by whispering ; if he meant, that because they were not ready unnecessarily to increase the standing army by every possible expedient, they were, therefore, enemies to the prerogative of the crown, they were truly so, and they gloried in confessing it. They avowed an eternal hostility to a prerogative so exercised. But, that they were enemies to the just prerogatives of the crown ; to those prerogatives which the constitution had wisely placed in the hands of the chief magistrate, and the exercise of which tended equally to the honor of the sovereign, and the happiness of the subject, he denied. He was ready, however, to bear testimony, that the right honorable gentleman was a friend to the prerogative of the crown, indefinitely and implicitly, but he did not see how he could therefore arrogate to himself the praise of being also a friend to the privileges of the people ; he whose whole political life had been occupied in attacks upon those privileges. He who commenced his ca-

reer in the situation which he then held by a violent infringement of the rights of that house : an infringement which was followed by a direct attack on the freedom of election. Under the cover of a bill of commercial regulation, his next measure had been an attack upon the privileges of the people of the sister kingdom, and this was followed by an experiment on the temper of the people here, by assisting in the scheme of a wild protector to change the constitutional defence of the kingdom from a navy to fortifications. Every part of his administration had manifested a tendency to support and enlarge the just but dangerous prerogatives of the crown ; and in particular, he had used every means to augment the standing army ; fictitious wants had been pleaded, unknown dangers had been suggested, and he had but too successfully added to the alarming military force of this country, both at home and in all its distant colonies ; and too successfully, also, endeavoured to bring others than the mere military within the bounds of the mutiny act. These were the proofs he had given of his friendship for the privileges of the people. Such had, nevertheless, been the confidence of that house, that, with all these things, they had professed to have faith in his good intentions, and in his regard for the constitution. He, for his own part, was most sincerely desirous that it should be proved, that the right honorable gentleman had a true and zealous reverence for the constitution. To satisfy the mind's taste, and to justify the admiration that every one felt for his endowments, it was a matter to be eagerly wished, that a gentleman of such brilliant talents should sincerely regard and love that constitution to which such talents as his were peculiarly adapted, and under which alone they could fully display themselves. His friends talked much of his conscience ; and, fruitful in excuses for the errors of his system, never failed to say, that he was debauched into every iniquity and folly that he committed. An honorable gentleman speaking of

him, had said, that in his bill he was sure that his conscience had been surprised. It was bad advice, and not wicked intention, from which this bill had originated. He was not unwilling to give ear to this apology. He hoped it was true, and he partly believed it. He did not hesitate in agreeing with his admirers, that he had people about him very capable of leading him wrong. It was his original crime that he had connected himself with those from whom no good counsel could come; and lamenting, as they all must do, the consequences of his want of vigilance, and the misfortunes of his connections, it was earnestly to be wished, that his conscience would either keep a better look-out, or that he would keep better company.

His right honorable friend, Mr. Sheridan said, on this occasion, had obtained a most complete triumph. Every part of his India system was now demonstrated to be just, and in nothing was it more truly justified, than in the attack which the right honorable gentleman had made on him that night. In the very moment that he was vehemently arraigning his right honorable friend for the bill which he had brought into the house four years ago, a bill lay on the table which went ten times farther in all the points which he at the same time affected to condemn. There was something very singular in the whole of the right honorable gentleman's conduct on this occasion. He had begun his speech with talking of the magnitude and importance of the bill on the table; of that very bill with which he had originally stolen in upon the house, without explanation, without speaking of its dangers, and without giving any notice of its magnitude. He had procured it to be read a first and second time; but being caught in the fact, and finding his arm arrested, and himself discovered: seeing, that not only the gentlemen on that side of the house, but on all sides, had taken the alarm, then he came forward, and talked of the danger with which the bill was

pregnant, humbly requesting that it might be checked and guarded in every possible shape. The bill, with all its terrors, its arrogance, and its evils, came first, but the checks came behind, by way of rider;—prerogative foremost, the constitution in the rear. The right honorable gentleman's great argument was, that his bill did not, like that of a right honorable gentleman (Mr. Fox) assume the patronage of India. That it did not take the power of appointing was certain, and never denied; but while it conveyed the power of recalling in all cases where the appointment was not made with their approbation, the only difference was, that the patronage in the one case was possessed under cover, and without responsibility; in the other it was open and avowed. In all the great features of the present bill, and in much more the present doctrines, were the same as those which his right honorable friend had asserted in 1784. The great difference was, that this bill added to the system a measure which he should soon explain, and which broke through every principle of the constitution, and was in every shape alarming to the people of this country.

But mark, continued Mr. Sheridan, the modest assumption of the Board of Control! The revenues of India amount to nine or ten millions a year, and the Board of Control desire that a declaratory bill may pass to give them the unlimited power, not only to collect, but to appropriate the whole sum as they may think fit. The only security was to be the virtue and integrity of the man. Was that a sufficient security?—Any person capable of asking from an enlightened people so much power must be mad, and consequently not capable of applying it with sound reason to a good end. But, said the right honorable gentleman, judge of us by experience. Have we not chosen a Lord Cornwallis, a Sir Archibald Campbell, and a General Meadows; and can there be danger in trusting power in such hands?—Arguing in that way, what did it impose

on that house?—That they were to fit every man out with power in proportion to his character. That was to be the slop-shop for Indian governors; they were to give to one man the flowing robes of imperial despotism, and to another the short skirts of limited monarchy. The constitution of England must not trust to such means of safety; and in arguing about principles, they must not think of men. He averred, that the bill gave the Board of Control the power of appropriating the revenues of the company to what purposes they pleased; and they might put 500,000*l.* at discretion into their own pockets, or those of their friends. They had the power of uncontrolled corruption. They might subsidize the court of Poonah. They might take into their pay 20,000 Mahratta horse; they might annihilate the commerce of the company; and all this they might do by means of this declaratory bill.

The bill of his right honorable friend had been said to erect a monster unknown to the constitution, because a noble Lord (Earl Fitzwilliam) and the seven commissioners were invested with certain powers. Compare the powers of that board with the powers of this. Lord Fitzwilliam and the commissioners could not send forth a dispatch; they could neither declare war nor make peace in India; they could neither subsidize Poonah, nor entertain a body of Mahratta horse, without having the pleasure of the king signified through the medium of the Secretary of State. The board of control could do all this. They could declare war; they could make peace; they could enter into subsidiary treaties with the princes of India; they could collect all the revenues of the company; and they could apply them to what purpose they pleased, without the consent of the King. Mr. Sheridan put this in various points of view, and then came to animadvert on what Mr. Pitt had said with regard to the bill of 1784 not being made on a compact with the company. Mr. Sheridan averred, that the whole of the bill was made

with the declared consent of the court of directors. The minister had stood upon that compact, had pleaded their approbation as a matter of argument, and it was passed into a law clearly on the ground of compact and consent. But now the right honorable gentleman wished to violate the engagement, and to avoid the ignominy of having broken a solemn bargain.

Upon this occasion, Mr. Sheridan added, that he should beg leave to submit to the feelings of the house, whether what they had seen that day ought not to convince them of the error into which they had fallen, of acting upon confidence? The minister had at length taught them, that to suspect him was their duty, and they saw that it was only by so doing, that they could faithfully discharge the trust reposed in them; for they saw that not being able to accomplish his design, but being detected, he now came forward apparently desirous to receive counsel, and to embrace instruction.

Mr. Pitt and Mr. Dundas having spoken,

Mr. Sheridan observed, that the right honorable gentleman had given him no answer; and added, that he questioned him about power; but, could get no reply which did not exclusively relate to patronage. He spoke about the constitution, and the right honorable and learned gentleman gave an answer concerning cotton. In short, he positively evaded the request that he would define his own power.

At length the question being put, the house divided; ayes (for bringing up the report) 162; noes 115.

MARCH 10.

REGIMENTS SENT AND DESTINED FOR THE EAST-INDIES.

Mr. SHERIDAN desired, that he might be permitted earnestly to call upon the house to meet with

jealous and with strict attention the circumstances under which the four new regiments were to be sent to India. In the course of the discussion lately brought forward on the propriety of that measure, it had been stated as the intention, and as part of the system of ministry, to increase the number of king's troops in India. Now he believed it to be a fact, which he should be able to prove, that orders were actually sent out to reduce the establishment of the five regiments already in India, at the very time that it was proposed to send out these four new regiments. Gentlemen might start at the assertion ; but he believed the papers he was going to move for would justify what he advanced.

In August, 1787, the directors of the East-India Company had applied for leave to recruit the troops on their own establishment in India, which by law they could not do without His Majesty's permission. This leave had been withholden, from August to November, until the moment of alarm had arrived ; when the directors, unable to recruit their own troops, in consequence of the delay, with that dispatch the emergency seemed to require, were prevailed upon to accept of these regiments. One reason assigned for withholding the permission to recruit the company's troops, was, because they would not consent to have their recruits inspected by one of His Majesty's general officers. If any person had advised His Majesty to insist on having the recruits so inspected ; he had advised him to insist on what by law he was not entitled to enforce, even if the company had consented.

The five regiments now in India, when they embarked in March 1783, consisted of one thousand rank and file each, besides the recruiting companies which were left in England. There was no reason for saying that these companies were not fully adequate to the purpose of recruiting the regiments to which they belonged, and of keeping them up to the full establishment on which they had been

sent out; for they had already sent out seven hundred recruits. And yet, at the very moment of alarm, when the directors, under the idea of sudden emergency, agreed to accept of the four new regiments, orders had been sent out for reducing the five regiments in India to seven hundred privates each, without any reduction of the commissioned officers; and this too, when the minister was disputing with the company, that according to the act of 1781, they must pay two lacks of rupees for each regiment of king's troops in India; whilst the directors contended that they ought to pay only in proportion to the number of effective men in each. Mr. Sheridan now moved, that there be laid before the house,

“A copy of the establishment of the several regiments of His Majesty's forces on their embarking for the East-Indies, in March 1783, with a copy of the orders given in August, 1787, for the reduction of the establishment of the said regiments.

“Copies of the last returns of the four regiments destined for the East-Indies; together with copies of their recruiting orders.

“A copy of the last application to His Majesty, for his royal licence to recruit the regiments abroad belonging to the East-India company; with the answer thereto.”

The papers were ordered.

MARCH 11.

**BILL TO ENABLE HIS MAJESTY TO LICENCE
THE PERFORMANCES AT SADLERS' WELLS.**

Mr. Ladbroke brought in this bill: the same was read a first time.

Mr. SHERIDAN remarked, that he had consented to the bill being read a first time, because it was really his wish, that the house should have an opportunity to consider the matter fairly, and to un-

derstand what was demanded from them. With regard to the petitions for the bill, and the allegations stated by them with respect to the large price paid for the purchase of their shares of the property of Sadlers' Wells, by Messrs. Wroughton and Arnold; if the house could, with any sort of consistency, do any thing to prevent their sustaining a loss, no man in that house would go farther than he would; he wished them to be dealt with as liberally and as handsomely as possible, because he was ready to admit, that the case of Sadlers' Wells stood upon very different grounds indeed from that of the Royalty Theatre, which had lately been before the house. *That* was a scheme set up upon false pretences, and supported by a conspiracy of justices of the peace, to defeat the law, which they were bound, by their oath, to execute. The present application came forward in a decent manner, and according to the practice he had ever wished to be pursued, when he knew more of what was going on with respect to the theatres than he did at present; having, long since, entrusted his interest in them to the management and care of others in whom he had reason to place confidence. Mr. Sheridan wished such an application to be liberally considered, and that the legal monopolists might not stand on their rights too strictly. He had ever been, and he trusted that he ever should be found, an enemy to any thing like oppression in any matter, great or small; and, on the present occasion, he confessed that the apprehensions of other people interested in the rights, supposed to be attacked by the bill in question, went beyond his own; but it was, however, to be remembered, that those apprehensions related to a property, upon which, taking the two winter theatres only, a sum little short of two hundred thousand pounds had been embarked. He felt it, therefore, his duty to endeavour to protect those rights according to their ideas of the injury they might sustain, and not according to any more indulgent way

of considering the subject, which he might himself have entertained. Mr. Sheridan then proceeded to argue on the nature of the present application. The proprietors of Sadlers' Wells had declared in their case, that the cause of their application for a bill to enable His Majesty to grant them a licence to continue the entertainments of Sadlers' Wells as heretofore, was, that "the proprietors of the winter theatres had lately instituted suits at law, not only against the last newly erected theatre, but intended to commence suits and prosecutions against all others indiscriminately." To his own personal knowledge (Mr. Sheridan said) that inference was wholly unfounded; and the proprietors of Sadlers' Wells knew it to be groundless;—there was no intention to proceed *against* them, or to molest them in any way whatsoever. In another instance also, the case of the proprietors of Sadlers' Wells was fallaciously stated. They told the house that they came there only to ask that they might be legally empowered to continue their performances as usual. That was not the fact; because what they asked for was a monopoly, as appeared clearly from a view and examination of the different parts of their case. There was some degree of unfairness also in their mode of reasoning against others, who stood in a similar predicament. Speaking for themselves, they said, "that doubts may arise, whether in strict construction of law, their performances might be, strictly and minutely, within the letter of their licence;" but when they spoke of the riding-schools, the Circus, and the new set of competitors, they stated them as performing in defiance of known laws, upon the authority of musical licences only; whereas their own licence contained not a letter of power more than the licences of their adversaries which they reprobated; the only difference being that the one was granted by the Surrey justices, and the other by those of Middlesex. From this it appeared, nay indeed they avowed it, that their ob-

ject was monopoly, and not licence ; and the house could grant them no relief according to their own statement, unless they put down all similar places, and shut their doors in future against all similar applications. Their claim to the preference might or might not be well founded ; but he could not but think that places of similar amusement under the Surrey licences, would afterwards come with a pretty strong case to parliament for an equal indulgence ; and that it would be an odd reason to give for refusing their requests, that the proprietors of Sadlers' Wells had the merit of transgressing the law first, and had therefore received a protection from the legislature, to which those who had only followed their example were entitled. This, however, was a matter for parliament to consider. If they chose to grant the preference, and to establish the monopoly which the present bill aimed at, and as a matter of regulation and policy to stop there, the proprietors of the winter theatres would have little to complain of ; for, he took it for granted, that certain alterations would be made in the bill, and that no part of the new powers would be suffered to entrench in the least on the rights of the winter patents, either as to season or the species of performances. Mr. Sheridan concluded with observing, that the winter theatres had a right to complain a little of those who had brought in the bill. The petition had been before the house nearly two months, and yet the bill had not been brought in till just at the last moment, close upon the commencement of the Sadlers' Wells season, in order that its near approach might be used as an argument, and in order that it might come into discussion at a time when the winter proprietors could not so well be heard against it by their counsel, if they should judge that measure necessary. He should on that account, notwithstanding the surprise that had been attempted on the house, move, "that the second reading of the bill be postponed to Friday, the 4th of April."

Mr. Ladbroke answered, that if the second reading was put off till Friday the 4th of April, some of his most profitable part of the Sadlers' Wells season would have elapsed before the bill could be decided upon; he therefore moved to insert the words "Tuesday next" in the motion, by way of amendment.

The house divided, ayes for the 4th of April 48; noes 39.

MUTINY BILL.

The order of the day, for going into a committee upon the mutiny bill, was read. Upon coming to the clause respecting the train of artillery, the surveyor of the ordnance, Captain Luttrell, moved several amendments, to bring the royal engineers, and the corps of artificers within the operation of the bill.

Mr. Sheridan renewed his arguments against putting the corps of artificers under martial law; contending, that if once the principle of convenience and expediency should be adopted as a justification of extending martial law, instead of the old and true principle of necessity, there was no saying to what an extent it might be pushed. If it were proper to put the corps of artificers under martial law, it might with equal, and even greater propriety, be argued, that the dockmen should be put under martial law. Mr. Sheridan reasoned upon the effects of such a measure; and said, that it might be proper at Gibraltar, in a garrison, or in a camp; but that there could not exist a reason for putting a corps of artificers under martial law at home. He shewed, that it was neither likely, on the one hand, to make them better workmen; nor, on the other, to improve them as soldiers; and he declared, he would take the sense of the committee upon the question of amendment.

The house divided, ayes (for the amendment) 48; noes (with Mr. Sheridan) 20.

MARCH 12.

MUTINY BILL.

Mr. Steele brought up the report of the committee on the mutiny bill; and on the reading the clause for incorporating the newly-raised corps of military artificers,

Mr. SHERIDAN rose, and declared, he conceived the object of it to be so important, that he was determined to oppose such an innovation in every stage, and to take the sense of the house concerning its alarming tendency. Mr. Sheridan stated his objection to the adoption of the new principle of expediency and economy, (the more dangerous because the more plausible,) instead of the old principle of defence and actual necessity. The right honorable gentleman, he thought, did not seem to have a right feeling for the fundamental principles of the constitution. He had been too apt to lend himself to every project of his colleagues; and to think his office was merely that of furnishing defences of the measures of other men, clothed in fine language. The present measure had been brought forward upon the specious pretence of economy—a plan that ought ever to be cautiously admitted, when, under it, the greatest evils might be sustained. If the present measure should be adopted, it would be laying a ground for the most alarming and dangerous consequences. The army was increasing in every part of the globe, at the moment it should seem most unnecessary; and, at the moment when it was stated that the glory of Great Britain was in its utmost splendor, and its power unrivalled. In proportion as peace was declared to be secure, the country was called on to increase its expense.

The house divided; ayes 114; noes 67:

REPORT ON THE DECLARATORY EAST INDIA BILL.

Upon the recommencement of this bill, on the 10th, Mr. Pitt moved several clauses:—The first was to limit the number of forces; for the payment of which, the commissioners for the Board of Control were empowered to issue their orders to 8045 men of His Majesty's troops; and 12,200 of the European forces in the company's service.—The second was, to prevent their increasing the established salary of every officer in the service of the company, unless such increase should be proposed by the directors, and laid

before both houses of parliament.—The third was, to prevent the commissioners from ordering the payment of any extraordinary allowance to any person on account of services performed in India; except, as is excepted in the preceding clause.—The fourth and last was, to oblige the directors to lay annually before parliament, an account of the produce of all their revenues, and of their disbursements. These clauses were agreed to without debate.

On the 12th the house proceeded to reconsider the report of the bill. After many members had spoken,

Mr. SHERIDAN declared himself surprised, that the noble lord, (Mulgrave) though one of the Board of Control, had not said one word on the subject, which concerned that Board more immediately; but had confined himself merely to abusing his right honorable friend's (Mr. Fox's) bill. The noble lord had turned a deaf ear to the earnest appeal of his right honorable colleague (Mr. Dundas;) and though twice called to by the Speaker, in the course of a former debate, had chosen to remain silent, till his right honorable friend had been called upon to say a few words in reply to an attack on his bill, founded in misrepresentation. The noble lord had then observed, as it were to himself, "this is the fit time for me to speak; now I'll rise and take my share of the debate." The noble lord had accordingly risen; and after having advanced what he thought proper, by way of aggravating and inflaming the false colouring put upon his right honorable friend's bill, he sat down; declaring there were other matters of which he meant to have taken notice, but that they were as well let alone;—meaning, undoubtedly, the conduct of the Board of Control; the members of which collected themselves together in such a state of perfect harmony! Mr. Sheridan declared, no man had more personal respect for the noble lord than himself, as the noble lord well knew; but he could not help remarking so singular a circumstance as that which he had noticed. Having, therefore done with that, he would proceed to say a word or two upon some

matters that had dropped from the two honorable and learned gentlemen, (Mr. Adams and Mr. Scott) who had taken part in the debate, relative to the administration of Lord North. One of them, (Mr. Scott) the honorable and learned gentleman who spoke latest in the debate, after an explanatory word or two had said, "but that administration is no more, and *de mortuis nit nisi bonum*." The other honorable and learned gentleman had forgotten the proverb; and so far from speaking nothing but good of the dead, had profusely poured forth his gratitude to his right honorable friend, for having been the persevering and successful instrument of extirpating that administration. The house would please to observe, the word extirpate, which the honorable and learned gentleman had chosen to use so emphatically, was a word, that, in two languages, bore two interpretations, very opposite to each other in their import. They had lately been told, the house would recollect, in Persian, to extirpate, signified "to change from one situation to a better." Whether that was the sense in which the honorable and learned gentleman meant to use it, he knew not; but certainly, though several persons, formerly connected with Lord North, and in office under him, had possessed situations of high rank, great power, great patronage, and great emolument; they were now changed into better situations, and were in places of higher rank, greater power, larger and more extensive patronage, and infinitely greater emolument. It was evident, therefore, that the *de mortuis* did not apply; all the members of Lord North's administration not being dead, but many of them, as the house saw, alive and merry at that moment. Mr. Sheridan next proceeded to remark, that an honorable and learned gentleman had thought proper to call Lord North's a weak—a servile, and a corrupt administration; a charge which an honorable and learned friend of his had

repelled with equal eloquence and ability. Whatever there had been of servility and corruptness in Lord North's administration, the honorable and learned gentleman, over the way, might best learn by enquiring of those about him. Evident it must be, no part of those base passions was imputable to such friends of Lord North, as sat on the side of the house on which he stood. They had been put to the severest test; and to their eternal honor, they had evinced their steadiness, and truth, in the hour of the severest trial! When the ends of servility and corruption were impossible to be answered, they had most manifested their affection to Lord North's person; and their consciousness that whatever there might be of servility and corruption among his adherents, he was himself a stranger to the existence of either; and instead of meanly deserting his party, when he was unfortunately least capable of appearing as its leader; their attachment, so far from diminishing, strengthened with his infirmities, and grew with his decay. Had it been possible (but he knew he was putting an impossible case) for those friends of Lord North to have remained silent, when he was attacked so illiberally and unfairly as he had been that day, not only when he was absent, but when the very cause of that absence would have operated on the mind of every man who made the slightest pretensions to either taste or feeling, to have made him abstain from any thing which wore the appearance even, of severity of animadversion on the conduct of a minister, who, it ought to be remembered, had never denied his responsibility, nor desired to shun enquiry. Those who thought proper to act so unwarrantably, might rest assured, that there were enough of those whom the noble lord had connected himself with, who would stand up in his defence, and shield his character from those unjust aspersions which were so extremely illiberal. Mr. Sheridan replied to the remark of Mr. Hardinge, upon his

having termed the clamor, occasioned by the gross misrepresentations of his right honorable friend's bill, which had gone forth, a senseless yell; and, in answer to the insinuation that he had any where declared, that he had advised his right honorable friend against the measure; he begged leave to deny having ever given such advice. He had differed with his right honorable friend as to the mode of doing it; but as to the measure itself, he had ever considered it as wise and manly; such as the nature of the case, and the necessity of it absolutely required; having been uniformly of opinion, that his right honorable friend would have acted inconsistently and idly, had he not gone the full length of the evils to be remedied. He declared, that the bill then before the house, had sufficiently established the propriety of his right honorable friend's bill, and proved the folly of the clamor that had been set up against it. Mr. Sheridan observed, that an honorable and learned friend (Mr. Scott) had quoted some books, which he himself had stated to be bad authorities, to prove that his honorable friend had said in 1783, what he had never uttered. Such books certainly were not to be relied on with any great degree of confidence; but there was to be found in those very books, a report of part of a speech of the honorable and learned gentleman, in support of the veracity of which his recollection bore testimony, as he could declare, upon his honor, he well remembered it to have happened as it was there stated; viz. that when the idea, of its being the design of the Chancellor of the Exchequer to dissolve the parliament, had been in discussion in that house, the honorable and learned gentleman had stood up, and assured the house, that the right honorable gentleman had no such unconstitutional purpose (as he had termed it) in view; pledging himself to be the first man to come forward and move an impeachment, if the right honorable gentleman should take a step of such a nature. The

step, they all knew, had been taken; and it was equally well known, that the honorable and learned gentleman had not moved the impeachment. He well remembered the arguments urged at the bar of the house, with so much eloquence, by the honorable and learned gentleman, who had that day attacked the bill of his right honorable friend. He well remembered, also, a quotation, which the honorable and learned gentleman had applied in the course of his argument, and which at the time had made a great impression on the house. Had not the honorable and learned gentleman been in parliament, and had he been employed on this occasion as counsel for the East-India Company, he would doubtless have used the same argument, and the same quotation as the latter, with peculiar force, applied to the right honorable gentleman, who had introduced the bill then upon the table. Mr. Sheridan here read the quotation, and then added, that as the honorable and learned gentleman, and many others on the same side of the house, had spoken in terms of great reprobation and severity of his right honorable friend's bill, he had a right to contend, that they well knew it did not deserve what they had said of it; or that if they thought it did deserve what they said of it, they had by their actions and their conduct contradicted their sentiments. Mr. Sheridan explained this by asking, if the majority of that house really thought his right honorable friend, himself, and all their friends, men of such principles as they ascribed to the authors and supporters of Mr. Fox's East-India bill; it was likely that they would since have raised them to a rank of such exaltation and honor, of such high trust and confidence, as to have entrusted them with the conduct and management of a cause, in which the glory and fame of the nation, the honor of His Majesty, and the lustre of his crown, the dignity of both houses of parliament, and the justice of the legis-

lature, were deeply interested and involved? Would the house have honored them with so extraordinary, so delicate, and so distinguished a mark of their confidence, if they had been enemies to the constitution—violaters of the law—and persons who treated the private rights of individuals with levity and indifference. The reverse must be the fact; and to assert otherwise would be to libel the house of commons, and vilify it in the grossest manner. In that trust, his right honorable friend, and all who shared the trust with them, possessed the highest power, and the most dignified patronage; they had the power of retrieving the national character, and establishing, beyond all question, its title to be considered as the impartial dispenser of justice; they held the patronage of protecting the innocent,—of punishing the guilty! An office of the highest honour had thus been bestowed on his right honorable friend, an office of a far different nature, and more congenial to his feelings, than that which had been bestowed on the right honorable gentleman opposite to him. To use influence and prostitute power was as suitable to the temper of the one, as to do justice and avenge the injured, was congenial to the sentiments of the other. Long, therefore, might his right honorable friend continue so employed, a stranger to courts and all their vicious delusions.

The house afterwards divided on the motion, "That this bill be engrossed," ayes 210; noes 122.

MARCH 13.

MUTINY BILL.

The order of the day being moved for the third reading of this bill. Mr. Hussey objected to that part of the clause which respected the new corps of military artificers. Mr. Pitt reminded the house that the question now before them was, whether the bill should be read a third time; when that was done, then would be the proper season for the honorable member to come forward with any motion he might have to propose relative to the corps of military artificers.

Mr. SHERIDAN considered the clause as involving a very important constitutional question, and therefore he wished it to be postponed until the morrow, that gentlemen might have an opportunity of considering it with that attentive deliberation which it really merited. The question put by the honorable gentleman (Mr. Hussey) whether the artificers had yet been enlisted and attested as soldiers, had not been answered. And, as he conceived that it was very material to the discussion of the clause in dispute, he trusted that some gentleman on the other side of the house would condescend to reply to it.

The question having been put and carried, that the bill be read a third time, the Speaker informed the house that it was now the time to move any amendment on the bill. Mr. Hussey then moved, "That the clause for subjecting the artificers to military discipline, be left out."

Mr. Sheridan declared, that he could not avoid reprobating the very dangerous doctrine laid down by the honorable and learned gentleman (Sir Charles Gould*). If it be true (continued he) that the King can raise any number of troops without the consent of parliament; or, what is the same thing, not voted by parliament, he is then independent of parliament as long as he has money to pay those troops. Mr. Sheridan denied that any such power could be executed by the King on constitutional principles. He maintained, that every man who exceeded the number limited by the mutiny bill, did not come under the mutiny act; nor, consequently, under military law. He took notice of (what he described as) the singular manner in which the warrant directed the men to be attested, that if they were not found to be good carpenters, masons, bricklayers, collar-makers, miners, &c. of which the noble duke

* Sir Charles, previous to the question on the third reading of the bill being put, asserted the right of His Majesty to levy troops on the faith of their being afterwards sanctioned by Parliament.

(Richmond) was to be the sole judge, they might be reduced at his pleasure from ninepence to sixpence per day. It was stated also, in the warrant, that those men were to be employed on the fortifications. Considering the noble duke's passion for military projects, the house ought to be watchful of every opportunity which he might embrace of gratifying his favorite pursuit; and he would no doubt employ these six hundred men, as he did the convicts, on a principle of economy.

Mr. Hessey's amendment was negatived without a division.

MARCH 14.

DECLARATORY EAST INDIA BILL.

Mr. Pitt moved the order of the day for the third reading of this bill, and the question having been put "That the bill be now read a third time," a long discussion ensued; the question being called for, the house divided, ayes (for reading the bill a third time) 127; noes 73.

Mr. SHERIDAN begged leave to submit to the house a clause, by way of rider, which he proposed to bring up and annex to the bill. The object of the clause was to limit the duration of the Board of Control, and confine it to the period of the charter's existence. Mr. Sheridan justified his moving a clause by way of rider, by the frequent example of the other side of the house; and said, that it was extremely necessary that the company, when their charter expired and deprived them of their exclusive monopoly of trade, should not any longer be liable to the superintendence of the Board of Control. He read the clause to the house, and moved for leave to bring it up.

The question having been put from the chair, Mr. Pitt declared that he felt himself under the necessity of resisting the motion; because, in the first place, it was wholly unnecessary, as the Board of Control attached solely on the civil and military government of India, and not upon the commerce of the Company. Besides, whenever the

charter of the Company expired, if it should not be deemed proper or advisable to renew it for a fresh term of years, the then novel situation of the company would necessarily prove a circumstance to be discussed in that house, and a circumstance for parliament to act upon. It was, therefore, highly improper to anticipate any one of the questions then to be brought into agitation. Besides, as far as he could collect the wording of the clause, as the honorable gentleman had read it, notwithstanding his reflections on the inaccuracy of bills and clauses proposed by him, and those on his side of the house, it appeared to be imperfectly drawn. (Mr. Sheridan expressing some surprise at this) The Chancellor of the Exchequer asked, if the necessary negative words "and no longer," were inserted in it. Upon the whole, he considered the clause as useless, and rather calculated to convey an insinuation on the whole bill, than to answer any fit or necessary purpose.

Mr. Sheridan answered, that it was, undoubtedly, peculiarly becoming the other side of the house to stand upon verbal precision, when they themselves were so remarkably inattentive to that particular. The words "and no longer," were, it was true, omitted in the clause, as he supposed, through the mere error of the engrossing clerk;—the error was easily set right. But, from the whole of the right honorable gentleman's speech, it was clear that he was utterly ignorant of every part and principle of his own bill:—an ignorance which he had manifested all through the proceeding. The Board of Control had already extended their interference to the commercial concerns of the company. In illustration of the Nabob of Arcot, with which, through a false and forced construction of a treaty, the Board of Control had interfered, and unjustly arranged them. Another illegal interference was in the affair of the claim made upon the company by government, on account of the two lacks per regiment. The Court of Directors had desired time to inquire whether they stood indebted to government or not. They had laid the case before their counsel, and his answer had been, that the demand was illegal. They then said, that they would write to their servants in India, and get an exact account of the subject matter of that claim. They prepared the dispatches accordingly, and sent

them to the Board of Control. The right honorable gentleman then went, in his capacity of first in the commission, and there altered the company's dispatches; making the directors mistake their own accounts, and put them into such a form as must defeat the object of their inquiry in India.

After further conversation the question was put on the motion, "That the clause be brought up," and it passed in the negative.

The Speaker next put the question "That the bill do now pass."

Mr. Fox now adverted to the questions that had, in the course of the debates, been so often stated relative to the interference of the Board of Control in the commercial concerns of the company, and which he said, had never received any other reply, than such as was an insult and a mockery to common sense. If the right honorable gentleman did not chuse to give any intelligible answer, the house would form its own conclusion on his silence.

Mr. Dundas admitted, that the Board of Control had no legal authority whatever to interfere in any manner in the commercial concerns of the company; and he was equally ready to admit that the Court of Directors had no legal authority whatever to send out dispatches to India through the medium of their secret committee. Having made both these admissions, he acknowledged, that the Court of Directors, wishing to take the cotton trade on the coast of Bombay into the company's own hands, in order to supply their China trade from Bengal; and knowing that the success of their design depended on secrecy, and that if they sent their dispatches from the secret committee, taking upon themselves, at the same time, the responsibility of the measure, which they were aware was illegal. Under these circumstances, the dispatch came to the Board of Control, signed by the chairman and Mr. Manship, a gentleman certainly not extremely friendly to the board; and the board became, if the house chose so to phrase it, blind instruments in the hands of the Court of Directors, and subscribed their signatures to the dispatch. This was the whole of that transaction. The Board of Control neither suggested the measure, nor took any other part in the affair than he had stated.

Mr. Fox answered, that from what the right honorable gentleman had stated, the Board of Control, it was evident, had acted illegally; because, if they had not lent their authority in the case in question, the dispatches could not have been sent to India, through the unlawful medium of the secret committee. Mr. Fox took occasion, in the course of his speech, to observe, that the omission of the words "and no longer," really proved, upon inquiry, to have been a mere clerical error, as the words were in his honorable friend's manuscript, which he was ready to produce.

Mr. Sheridan denied that the right honorable

gentleman opposite him had given a true account of the transaction. The Board of Control had done more than the right honorable gentleman had described. They had not acted as blind instruments, but as beings perfectly possessed of sight, They had altered the dispatch, by omitting a sentence, (which Mr. Sheridan read.) Mr. Sheridan added, that, as all hope of defeating the bill was then over, he would not trouble the house any more than merely to take five minutes of their time in reading a statement of the different characters of the two India bills; a matter the more necessary, since, in the whole course of the debates, the bill of his right honorable friend appeared to have been much misunderstood. Mr. Sheridan here proceeded to read the paper at length. When he was about half through, he was interrupted by

Sir Robert Smyth, who desired to know the authority of the paper; and whether it was an extract from a pamphlet, or a more authentic document. If it were the latter, it might be laid on the table and printed for the use of the members.

The speaker declared that the honorable gentleman was perfectly in order to read the paper as part of his speech.

Mr. Sheridan said, he had before stated, that the paper was a description and comparison of Mr. Fox's India bill, and Mr. Pitt's India bill; drawn up carefully by himself; and extremely necessary for gentlemen to attend to, as it would give a perfect comprehension of each.

After Mr. Sheridan had gone through the paper, the question was put, "That the bill do pass," which was carried without a division.

APRIL 18.

CONDUCT OF THE ADMIRALTY, RELATIVE TO THE PROMOTION OF ADMIRALS.

By an order of council, dated in the year 1718, and addressed to the lords commissioners of the Board of Admiralty; they are di-

rected to proceed in the promotion of officers to the rank of admirals, in the navy, according to the seniority of such officers upon the list of captains, regard only had to their being duly qualified for the rank to which they shall be promoted. By a subsequent order of 1747, the lords of the Admiralty are authorised to superannuate such captains of long and meritorious service as shall be disabled from serving as admirals, by age or infirmity, under the title of admirals upon the superannuated list; or, as it is commonly called, the list of yellow admirals. In a promotion made by the Board of Admiralty, on the 15th of September, 1787, in which sixteen captains were promoted to the flag, upwards of forty captains had been passed over, the greater part of which had the offer made them, of being put upon the superannuated list; but conceiving themselves entitled from their past, and their capacity for future service, to the rank of acting admirals, they refused the retreat that was offered them; and had endeavored, but without success, to obtain their re-establishment from the Board of Admiralty. This partial promotion had occasioned a great and general disgust; and especially amongst the officers of the navy, who were alarmed to find, that the expectations of reward for the longest and most meritorious services, were to be dependent upon the caprice of the first lord of the Admiralty; and it was, therefore, thought a proper subject for parliamentary animadversion. Accordingly, on the 18th of April, Mr. Bastard moved in the house of commons "That the house do resolve itself into a committee of the whole house, to enquire into the conduct of the Board of Admiralty, touching the late promotion to the flag." As this motion went to a direct charge of ministerial misconduct against the first Lord of the Admiralty, and was free from the objection of interfering improperly on the functions of the executive government, it was necessary to meet it upon the distinct merits of the case. In support of the presumption of misconduct, Mr. Bastard stated the cases of Captains Balfour, Thompson, Uvedale, Sherley, Bray, and Laforey, and several others were mentioned in the course of the debate. With the view of obviating the unfavorable conclusion these cases seemed strongly to support, it was argued by the Chancellor of the Exchequer, in defence of the Admiralty, that none of the circumstances alleged amounted to more than a negative proof that the officers in question, were not disqualified for the rank for which they contended; but that where a selection was to be made, (and that a selection was expedient would appear, not only from the uniform practice of the navy, but from the great expense and sundry inconveniences which would unavoidably result from an overloaded list of flag officers) it was necessary that a discretionary power of making that selection, should be lodged in the commissioners of the Board of Admiralty. He admitted that they were responsible to parliament, in the use of that discretion; and that whenever a case was made out, strong enough to warrant a suspicion of such abuses as deserved censure or punishment, it was the indispensable duty of the house of commons to proceed to enquiry. But he denied that such a case

had been made out.—It had not been alleged that there was any officer of incompetent merit amongst those who were promoted, on whom a charge of partiality or corruption could be founded. It had not been asserted that the first lord was actuated by either malice, or any sinister motive, towards those who had been passed over, upon which he could be charged with injustice or oppression. The point to be decided by the house was, whether they could infer from the statement they had heard, that the judgment of the first lord upon professional merit was not to be trusted; but ought to be corrected by theirs. Such a case might undoubtedly occur; but he warned the house of the mischiefs that would inevitably arise from opening their doors, without the most palpable and urgent necessity, to the discussion of professional qualifications, and the accomplishment of military promotion.

Mr. Dundas contended against the motion, as it would, if carried, produce these two bad consequences:—First, that all future promotions must be by rotation and seniority; and next, that no first lord of the Admiralty would, in future, subject himself to such an inquiry as that now proposed; which, of necessity, would make him prefer a promotion by seniority to responsibility, and the certainty of disobliging. Mr. Dundas justified Lord Howe's conduct, by saying that no person had imputed a corrupt or sinister motive to the noble viscount; and it was natural for him, who was responsible for the officers he employed, to make those captains admirals, in whose hands he could trust his character with the greatest confidence.

Mr. SHERIDAN said, he should have declined rising, had he not heard from the argument of the right honorable and learned gentleman opposite to him, that no one captain had been promoted but such as the noble viscount could have a confidence in. That was (Mr. Sheridan said) the only consistent reason which had been given for the promotion. Mr. Sheridan went into a statement of the number of admirals on the list; and, after having mentioned the various different descriptions, declared, that when the promotion took place, there were twenty-four admirals, at least, as able in body and spirit as those last made. To what, then, was the last promotion to be ascribed? Was it done in a time of war? No; it was not; but on the mere rumour of a war. The right honorable gentleman had asked, "Would that house pretend to judge of the qualifications for admirals?" Thus the right ho-

norable gentleman always led them from the question. They would not pretend to judge of the qualifications for admirals; but one thing they surely judged of, and that was, whether the Admiralty acted, in their promotions to the flag, consistently with their own rules. The fact was, they had not done this. In the case of Captain Laforey, the right honorable the Chancellor of the Exchequer said, that the First Lord of the Admiralty had laid it down as a rule, that officers, taking a civil employment during hostilities, abandoned their pretensions to military preferment. He admitted it was a good rule. Another rule was, that no person of bodily infirmity was entitled to promotion;—that was a good rule likewise. Again, any officer, who had not been at sea in the course of the preceding war, was not to be promoted to a flag; and this was a third good rule. But their rules and their conduct did not agree. Captain Laforey was set aside, and Sir Charles Middleton promoted, though both holding civil employments, taken by each *flagrante bello*. Sir John Lindsay—for it was necessary to speak out—though a most respectable officer, laboured under such bodily infirmity, that it was not likely he should go to sea again; whilst Captain Robinson, one of Lord Rodney's captains, who lost a leg in the action of the 12th of April, was suffered to limp away from the Admiralty without employ, though otherwise hearty, and as fit for service as ever. As there were twenty-four admirals on the old list fit for service, and no service very likely to be wanted soon, the late promotion could not be justified on the principle of state-necessity; and the moment this principle was abandoned, in came the principle of honorary rewards and emoluments; under which construction the late promotion fully merited the charge of being partial, capricious, and oppressive. Mr. Sheridan said, he liked the minister's argument of responsibility; but he feared it would not much

hurt them, as he observed it always came from themselves. Their responsibility was, to confess that they were responsible, but to stop all enquiry, and prevent the house from deriving any benefit from their responsibility. He differed a little from his right honorable friend, as to that house only having a power to interfere with the executive department, for the purpose of censure or punishment. He agreed with Lord Kaims, who had well observed, that there was nothing like abuse, or even suspicion of abuse, in the executive departments of government, of which that house could not take cognizance. That house had a right to interfere, whenever it thought necessary; and to go to the crown with wholesome admonition. The promotion, if not enquired into, would break the heart of the navy, and perhaps ruin the service.

*The question being put, the house divided; ayes 134; noes 154.**

MAY 5.

WAYS AND MEANS.

The order of the day for going into a committee to consider of the ways and means, being read, the house went into a committee, and various papers were referred to the same. Mr. Pitt opened the business, and in a long speech, argued "that we had the fairest ground for confidence; that we should not only enjoy ample funds for the liquidation of every expense, but also for carrying on the great purpose of the late arrangement—the extinction of the capital of our debt," &c.

Mr. SHERIDAN remarked, that, however invidi-

* The very inconsiderable majority by which the minister defeated the enquiry, encouraged Mr. Bastard to make another attempt. On the 29th of April he moved "That it is highly injurious to the service, and unjust, to set aside from promotion to flags, meritorious officers of approved service, who are not precluded by the orders of His Majesty in council." After a debate of several hours, the house divided on the previous motion; noes 220; ayes 169.

ous it might seem to start objections to so flattering a statement of the revenue, and increasing resources of the country, as had been just given by the right honorable gentleman; it was necessary to dispel the delusion under which this country had been acting for some time, and to detect the fallacies which were still attempted to be imposed on the public, and continue that delusion. The right honorable gentleman had entertained the house with an account of the sad state of the French finances; and he, for one, wished so well to that part of the right honorable gentleman's argument, that he hoped the French finances would always be found in as bad, or even a worse situation, whenever the right honorable gentleman should have occasion to draw such a comparison as he had now done. But how had they been reduced to that miserable state, in which they were represented to be? By doing that which we had done, and were continuing to do. The French had not faced their situation; and by endeavouring to impose on themselves, and to make it appear better than it really was, they had rendered it infinitely worse than it might have been.

Not, however, to dwell upon the situation of our rival, or to triumph, because it was worse than our own, the real question before the committee was, to consider, whether our receipt was equal to our expenditure. The annual expenditure for the peace establishment, as now stated by the right honorable gentleman, was to be in future 15,624,000*l*. This might, therefore, be considered as ground to argue from; since, however much it might exceed that sum, it could not reasonably be expected to fall short of it. In order to make up an income equal to this expenditure, by taking the receipts, not on an average of several years, but one year only, and making up the accounts from April, 1787, to April, 1788—instead of from January to January—a revenue was produced on paper of 15,792,000*l*. Mr.

Sheridan contended against the accuracy of this statement; and said, the report of the committee appointed to enquire into the state of the finances in 1786, would put the matter in a clearer light. The annual expenditure was there stated to be 15,390,000*l.*; and the annual revenue as there stated, with 100,000*l.* additional taxes, fell very far short of that sum, if fairly calculated. If the right honorable gentleman, instead of the receipt of the last year—which was acknowledged to have been more productive than any former year had been, from accidental causes that could not be expected to operate for another year—had taken, as he ought to have done, the average of 1786 and 1787; the produce of all the taxes would have appeared to be no more than 2,389,000*l.*; making, with the addition of the land and malt taxes, 15,250,000*l.*;—which would have fallen short of the expenditure, as now stated, 374,000*l.* This was as near the truth as could reasonably be presumed, from the circumstances of the country and the revenue, since the peace; and this was the situation which the committee was bound in duty to meet and to provide for; instead of endeavoring to impose on themselves and the public, and delaying to apply the remedy till it might be too late.

Another circumstance he felt himself obliged to controvert, was, the means by which the right honorable gentleman made up his estimates of the expenditure. Whilst he added to the estimates of the army, he allowed no addition to the estimate of the navy. Was it really his opinion, that the expense of the navy in 1790, would not exceed 1,800,000*l.*? For the ordnance, indeed, he allowed 10,000*l.*; but took no notice of the expense of fortifications; which, in the West Indies alone, he had formerly stated would amount to between 2,000,000*l.* and 3,000,000; and taking fortifications, as it was most reasonable to do, at the largest estimate, (for they seldom fell short in point of expense, whatever

they might in point of utility,) there would be wanted 300,000*l.* for the West Indies alone, and, on the whole, from 700,000*l.* to 800,000*l.* He objected, also, to the estimates for miscellaneous services; which, he contended, must exceed 74,224*l.*, the sum for which it was made out.

He came next to consider the shifts to which (he observed) the right honorable gentleman had resorted, in order to defray the extraordinary expenses of the year. Five hundred thousand pounds were to come from the East India Company. They were to pay 300,000*l.* last year; and he had then objected to the right honorable gentleman's taking credit for a sum which the company had not acknowledged to be due. No part of that sum had been paid into the exchequer; and, because the payment had been, and was still, disputed by the company, credit was again taken for a much larger sum; which he firmly believed would no more be paid than the former. The company had denied that they owed any such sum to government; they had drawn up a case for the consideration of counsel; and if the facts were as they were stated to be, he had no scruple in saying, that the claim of government was not well founded.

The right honorable gentleman amused the committee with fine stories of the increase of our trade and shipping, and the flourishing state of our fisheries; but, instead of entering into any exemplification of what he had advanced on that subject—the truth of which he wished as much to rely on as any man—he begged leave to call the attention of the committee to the commutation act; which (he contended) had failed in every circumstance for which those who supported it stood pledged to the public. Instead of the supply of tea, which the company were bound to import by that act, to answer the increased demand—to have a year's stock on hand and to keep the prices as low as by the commutation they ought to do—they had not imported a

quantity equal in any one respect to those purposes. This he did not charge on the company as blameable; their finances had not enabled them to do it; and would government call upon them to pay 500,000*l.*, in order to enable them to do that which they had not been able to do before? There was no way of doing this, but by enabling them to increase their capital as the value of it decreased, as had been done in the famous South Sea scheme.

With regard to the commutation act, he asserted again, that the compact with the public had been broken in every respect. In the first place, it was to destroy smuggling, which had been argued as the principal advantage that was to be obtained from it; and yet it was notorious that it had not done *this*. The company was to supply, not only England, but all Europe with tea. One hundred and eighty thousand pounds had been sent to the continent to buy up the whole stock there; and by the last accounts from China, the foreign shipping there was four times greater than it had been at any former period. We now sent to China 1,500,000*l.* annually, instead of 305,000*l.* or 400,000*l.*, which we used to send before; and, notwithstanding this great increase of the balance against us, from the high price of tea, and the quantity that would soon be imported on the continent, there was reason to believe that smuggling would again prevail as much as ever. This breach of compact with the public, he affirmed to be a strong charge against those in whose hands the superintendence and management of the company was placed; and whose duty it was to see that the engagement with the public should be fulfilled. He objected, also, to the method in which the commutation duty was paid; and that it passed unnecessarily through various offices, instead of being paid immediately into the exchequer. He concluded with observing, that, in the present real state of the finances, and the evident inefficiency of the commutation act for the purposes

for which it was passed, he saw no reason why a duty of 200,000*l.* or 300,000*l.* should not be raised on the article of tea.

Mr Pitt replied—and in the course of his speech observed, “Upon the whole, he lamented that the honorable gentleman had taken that opportunity of quarrelling with him; and that he had not been able to find a more plausible pretext for his opposition to the subject, under discussion of the committee, than by his dreams and reveries on the commutation act.”

Mr. Sheridan declared, that so far from having sought an opportunity of quarrelling with the right honorable gentleman, he had suppressed much of what he felt on the delusion, which had that day been practised on the subject of the finances and the resources of the nation. The right honorable gentleman (he admitted) had, at last, explained the nature of the claim on the East India Company. If it was not found to be just, the money was to be refunded;—this circumstance, however, had been considered of so little importance, that the right honorable gentleman had not thought it worth mentioning in his first statement—if this was not a *shift*, he did not know what term to bestow on it. The commutation act (he conceived) was at least as intimately connected with the ways and means of the year as the whale fishery, or any other of the amusing tales with which the right honorable gentleman had entertained the committee; calculated, no doubt, to call their attention from his figures to the more pleasing excursions of his imagination. He was now more than ever convinced that the right honorable gentleman himself, had not so good an opinion of that commutation act as formerly, from his readiness to give him a share in it. He persisted in his opinion, that the enforcing the claim on the East India Company, for a disputed debt of 500,000*l.* was highly unjustifiable, at a time when, for want of money, they were unable to fulfil their contract with the public. In every point of view in which he had considered the subject, and it had

occupied much of his mind, he was more and more convinced of the fallacy of the right honorable gentleman's reasoning. He denied that 74,000*l.* could possibly defray the expense of the miscellaneous services; and he was persuaded that the great extent of the works carrying on, both at home and abroad, under the name of fortifications, must create a very great increase of expense on the ordnance estimates of future years. The whole expense of the nation could not be taken at less than sixteen millions annually, a sum which considerably exceeded the present amount of the whole revenue. He was, therefore, for adopting a more effectual mode of relief, than the delusive schemes which the right honorable gentleman held out to the public from year to year—for no other purpose but to put off the evil day. Let us then (concluded Mr. Sheridan) be manly enough to look our affairs in the face;—let us provide the only true remedy by extending our resources, so as really to meet our expenditure. Such a proceeding was becoming the dignity of the empire, and was much more likely to render us formidable to our enemies, than by subdividing the Landgrave of Hesse, or overturning the Dutch constitution.

MAY 14.

COUNTY ELECTION BILL.

The order of the day having been read, for the house to go into a committee on the county election bill, the blanks in the several clauses were filled up, and the bill, with the amendments reported, ordered to be printed, and farther considered on the ensuing Monday.

Mr. Jolliffe observed, that he considered the bill as having a tendency rather to take away than to secure the rights of freeholders, and therefore it was his intention, at the time of its being reported, to make a motion on the subject.

Mr. SHERIDAN reminded the house, that, in the course of a debate which had taken place, the pre-

ceding week, he had occasion to make mention of the commutation act, which gave rise to some conversation, that ended in a sort of challenge from the right honorable the Chancellor of the Exchequer to him, to enter upon a full and fair discussion of the effects of that statute; which challenge he had immediately declared his readiness to accept. As he did not therefore like to appear willing to meet any question, that he was not actually desirous to go through with, he meant to move for some necessary papers; a list of which he would read to the house; and if they were granted (and he saw no probable cause of objection), after they should be put upon the table, he would name a day, if possible in the course of the present session, for the discussion of the subject. Mr. Sheridan then read a string of motions, touching the quantity and sorts of the different teas in the East India Company's warehouse, previous to the arrival of the first ship from China this year, &c. &c. &c.

The question on the first motion was put and agreed to; but the Chancellor of the Exchequer afterwards entertaining some doubts how far it might be consistent with policy, to let the East India Companies on the continent into possession of the knowledge of the exact state of our East India Company's stock of tea in hand, the motion which had been carried, was by consent withdrawn; and Mr. Sheridan agreed to make his motions upon the following day.

COMMUTATION ACT.

Mr. Sheridan, on being called to from the chair, expressed his concern to find himself under the necessity of postponing his intended motions respecting the commutation act until the next day; but he had just learnt from those who had expressed some doubts as to the propriety of letting his motions go, that they had not yet had time enough to enquire whether they ought to consent or not.

MAY 16.

COMMUTATION ACT.

Mr. SHERIDAN, previously to his reading his first motion for papers relative to the commutation tax, asked whether the motion was to be objected to?

Mr. Pitt answered, that he should not object, as he understood that the substance of the motion was in print already.

Mr. Sheridan said, he hoped what had turned out to be the fact, would teach the right honorable gentleman not to be so peremptory in future.

Mr. Sheridan moved,

“An account of the quantity of tea in the warehouses of the East India Company, previous to the arrival of the first ship (the Wycombe); carefully distinguishing the sorts.” This was followed by moving eighteen other accounts respecting teas.

An account was also moved, “For the quantity of silver exported to China for five years, previous to the passing the commutation act; distinguishing each year.”

Also, “An account of all advices received respecting foreign shipping in the ports of China within the last two years.”

The motions having been severally put from the chair, and carried,

Mr. Sheridan begged to call the particular attention of the right honorable gentleman and of the house, to the papers, when they should be presented; as he was convinced, that they would furnish evidence that the commutation act had failed of its object altogether;—that smuggling was likely to prevail under the operation of the act to a greater extent than ever;—that the faith of the compact with the public was broken;—and that the revenue was materially injured.

Mr. Pitt observed, that he could not avoid suspecting that the honorable gentleman was conscious the papers he had moved for were

but of trifling importance, and likely to give little or no information to the house, since the honorable gentleman was so ready at the subject without them. He must, however, beg leave to decline following the honorable gentleman's example; and avoid entering into the debate, till the house should have the papers that had been just moved for upon their table, and be prepared to enter fairly into the discussion.

PETITION RELATIVE TO THE GOVERNMENT OF CANADA.

Mr. Powys having moved, "That the petitions on the table relative to the government of Canada be read," and the same having been read short pro forma, Mr. Powys moved, "That Mr. Limeburne be called to the bar,"

The Speaker stating it to be irregular to call a witness, before a ground was first laid for it, by entering upon some regular proceeding to warrant it; a conversation ensued between Mr. Powys, Mr. Fox, the Chair, and the Chancellor of the Exchequer. At length the difficulty was solved by the latter's declaring, that he had no objection to go into a committee, for the purpose of enquiring whether it should appear from the evidence to be adduced at the bar, proper for the house to proceed farther upon the subject. The petitions having been read, therefore, upon a motion, referred to the committee, the Speaker left the chair, and Mr. Wyndham took his seat at the table.

Mr. Limeburne was then called to the bar, and read a great variety of written documents, stating the proceedings which had taken place before the judges in Canada; from whence it appeared that their decisions had been formed on vague and indeterminate principles, one deciding according to the Roman law, another according to the French law, a third according to the English law, and a fourth, without regard to either code of law, but solely in conformity to the dictates of his conscience. The documents also afforded proof of the existence of a variety of acts of oppression and injustice in the practice of the law in Canada, which called aloud for remedy.

Mr. Powys now rose, and after entering very fully into the subject, moved, "That it was the opinion of the committee that the petitions deserved the immediate and serious consideration of parliament." Mr. Pitt replied, and concluded with moving, "that the Chairman do leave the chair." He observed, that gentlemen had asked when government would bring forward any thing; his answer had been, when they could with confidence. If they could next year they would; if not, they would not.

Mr. Sheridan expressed his fears that the committee would not gain a great deal by waiting for information. The inhabitants of Canada (he assured

the committee) were unanimous in favour of the objects stated by the honorable gentleman who made the motion. When the petition came away, there was not one dissenting voice. The fact was, that before a false alarm had gone abroad, some persons had been panic-struck, thinking that English laws were to be introduced generally, universally, and without any exception; upon that the counter-petitions had been drawn, signed, and presented to Lord Dorchester. But the cause of alarm had since been explained, and the inhabitants of all descriptions had recovered from their panic. With regard to the change of the habitancy of the province, and the increase of English Protestant loyalists that it contained; he was amazed the right honorable gentleman had not seen that such allegation was the very argument against him. Two years ago, the right honorable gentleman had said when the subject was then agitated, "be patient—Sir Guy Carleton is gone out for information; when he returns, the subject shall be submitted to full discussion." The honorable gentleman has received from Sir Guy Carleton, (at present Lord Dorchester) all the information he could receive, and therefore he ought no longer to delay the consideration of the question. Mr. Sheridan declared that he had good authority for asserting that Lord Dorchester had not given the right honorable gentleman reason to expect farther information from him, nor had he any reason to expect farther information from him, or from any other quarter.

Mr. Pitt begged to contradict Mr. Sheridan's assertions—"He not only had reason to expect, but he actually did anticipate much farther information, through the medium of Lord Dorchester."

Mr. Sheridan said, will the right honorable gentleman produce Lord Dorchester's dispatches to prove the fact? I dare him to the proof.

Mr. Pitt declared that he would oppose the production of any such proof. The honorable gentleman had introduced a new species of argument in that house. If that mode of argument prevailed, it

would only be for a confident man to come forward boldly, and make a direct assertion ; and on receiving a flat and peremptory denial, to challenge the production of private papers as the test of the faith in dispute.

Mr. Sheridan said, a moment's reflection had served to convince him, that the right honorable gentleman did not mean to use the word *confident* in the sense in which it at first struck him that he did, because he was satisfied the sort of confidence the right honorable gentleman approved was a confidence in fine promises and professions, where no reason was assigned nor any performance ever intended ; and not a confidence in matter of fact, capable of proof, and desirous of meeting it. Mr. Sheridan contended that nothing could be more fair, after he had asserted as a fact, that which he had good authority to believe to be founded, and it had been denied by the right honorable gentleman to be a fact, than for him to call upon the right honorable gentleman to produce those parts of Lord Dorchester's dispatches, in which the noble lord gave the right honorable gentleman reason to expect that he should have further information to send him on the subject of the sort of government best adapted to the province of Canada. He was persuaded that Lord Dorchester had signified no such expectation ; and he should still maintain his opinion, unless the right honorable gentleman would consent to bring proof to the contrary before the house. Mr. Sheridan added, that it peculiarly became a person of such notorious modesty and diffidence as the right honorable gentleman, to charge him with being confident and presumptuous, in daring to adhere to his assertion relative to a matter of fact, which the right honorable gentleman was not able to disprove.

The house divided on the question, " that the chairman leave the chair." Ayes 104 ; noes 39.

MAY 20.

PROCEEDINGS AGAINST MR. HASTINGS.

* On the 21st of December, 1787, Mr. Burke observed to the house, that it would be necessary, before the sessions ended, that the house should take some step for binding Mr. Hastings to be forthcoming to answer the articles of impeachment which had been preferred against him. He therefore moved, "That Warren Hastings, Esq. be taken into the custody of the Serjeant-at-arms of that house." This motion was opposed by Mr. Nicholls, who stated, that upon referring to the journals in search of precedents, he found there were three several modes of proceeding, which had been adopted by the house, after they had prescribed articles of impeachment. The first was, to take the party impeached into the custody of their own Serjeant-at-arms; the second was, to desire the lords to take him into custody; the third was, to desire the lords to put him to answer. He thought the last was the mode they should adopt, as it would be extremely cruel to brand Mr. Hastings with a stigma in the face of his country, by suggesting an idea, that the house had reason to suspect him of an undue design of attempting to elude justice. Mr. Pitt and Mr. Burke replied, that upon a minute examination of precedents, and a consultation of persons in another place, it had been found, that the most regular and orderly mode of proceeding would be for that house to take Mr. Hastings into custody by their serjeant, and to deliver him to the lords. The motion was immediately agreed to; and the house being soon after informed that he was in the custody of the serjeant, Mr. Burke was directed to acquaint the lords with the same; and that he was ready to be delivered up to the Gentleman Usher of the Black Rod whenever their lordships thought proper. The message being delivered to the house, Lord Walsingham proposed Mr. Hastings should give 20,000*l.*—himself in 10,000*l.* and two sureties in 5,000*l.* each. He concluded by moving, that he should be forthwith taken into the custody of the black rod. This being done, Mr. Hastings was brought to the bar, and the different charges read. The Lord Chancellor then asked Mr. Hastings what he had to say in his defence. He answered—'My Lords, I rely upon the justice of this house, and pray that I may be granted a copy of the charges, with a reasonable time to make my defence; and also, that I may be allowed counsel, and admitted to bail.' These points being settled, Mr. Hastings was again called to the bar, and informed that one month was allowed him to make his answer to the charges.—On the 13th of February, 1788, the trial commenced in Westminster Hall. The counsel who appeared for the defendant were Messrs. Law, Plummer, and Dallas. The assistant counsel for the Commons, Dr. Scott and Dr. Lawrence, Messrs. Mansfield, Pigott, Burke, and Douglas.

* Abstract of proceedings continued from that under Dec. 11.

During the progress of the trial a motion was made in the house of commons by Mr. Burgess, on the 20th of May, 1788, for a particular account of the expenditure of the money advanced to Messrs. Wallis and Troward, solicitors for the prosecution against Warren Hastings, Esq. and of such other expenses and charges as have been incurred by the said solicitors on account of the said prosecution, to the 15th of May, 1788, inclusive, stating specially to whom, and on what account, such sums have been issued.

Mr. SHERIDAN observed that he felt some difficulty, stifling his surprise, that the honorable member should have thought the honorable gentleman's anxious desire to watch over and scrutinize the expenses of the prosecution of Mr. Hastings, matter of amazement, when it was considered how frequently the honorable gentleman attended to the expenditure of the public money, and how peculiarly watchful he was over the grants of large sums moved from time to time by the Treasury. Mr. Sheridan said, he considered the true motive of the honorable gentleman to be no other than this ; he made his motion with a view to afford a ground for the appearance of idle paragraphs in the newspapers, insinuating that the managers were putting the public to an enormous and unnecessary expense ; and by such means to create a wish in the public for the discontinuance of the trial. Mr. Sheridan stated, that the services already performed were ordered by the committee of managers, under the authority of that house ; so that if the house chose, they might resolve that no counsel should, in future, be allowed the managers. If so, it would be necessary for them to move, that the Attorney and Solicitor-General, together with the Master of the Rolls, be added to the committee of managers. Or if the house thought proper, they might resolve, that the managers should pay the expenses of counsel themselves. In that case, he hoped the house would have the goodness to add Sir Sampson Gideon, and some others of the most wealthy members, to the committee. With regard to the charges incurred by fees to counsel, they were, considering the assistance afforded, extremely

low ; so much so, that he would venture to say no counsel employed in a great public prosecution had ever been paid worse. Mr. Sheridan read from the votes the resolution to pay above four thousand pounds for defraying the charges incurred by the prosecution carried on against Sir Thomas Rumbold. He said, he had no doubt but *that* charge had been fairly and justly made out ; but he had never heard, that the house had thought it necessary to institute a very minute enquiry into the various items of the account. In the present prosecution, the managers were responsible for ordering the services, but the manner in which those services were performed, was to be decided elsewhere ; and therefore, as that part of the business which was the only one the honorable gentleman could refer to, lay between the solicitors for the prosecution, and the lords of the Treasury, the honourable gentleman, (whom the house must be aware, had always been remarkable for the rigid strictness, and scrupulous attention with which he watched over all the Treasury accounts, certainly deserved the thanks of the house, for his acting up to his character on this particular occasion) instead of giving the newspapers a fresh subject for invidious references and unwarrantable insinuations, if the honorable gentleman meant any thing by his motion, he hoped, when the account should be produced, (to which he had not the smallest objection) the honorable gentleman would ground upon it another motion, that the counsel employed by the committee of managers should in future be better paid.

Mr. Sheridan afterwards read an extract from a letter written early from the committee of managers to the Treasury, in which the committee declared their readiness to resort to their advice as to the services they thought necessary for effectually carrying on the prosecution. Mr. Sheridan contended, that after having received such a letter from the

committee, it was a little hard that government should countenance such a motion as the present.

The house divided ; ayes 60 ; noes 19. The managers all withdrew without dividing.

MAY 30.

PROCEEDINGS AGAINST MR. HASTINGS.

Mr. Fox observed that, as a particular account of the distribution of the sums expended, in consequence of the trial of Warren Hastings, Esquire, had been before the house during the space of some days, he wished to know when the honorable gentleman, who moved for the account, and said, he had doubts relative to a part of the general heads stated in that account, meant either to bring forward the said doubts, or declare whether they still left upon his mind the same impression.

Mr. Burgess answered, that in his humble opinion, he had sufficiently done his duty in calling for the papers. They were now before the house, and an opportunity was open to every gentleman to form his sentiments upon the subject. What his doubts were, he imagined, must suggest themselves to every gentleman who read the accounts ; and, therefore, he left to persons, who had more weight and authority in that house than he had, to take the matter up ; but if no other person should, and the house should call upon him to bring the subject forward, he was perfectly ready to obey their commands.

Mr. SHERIDAN observed, that the sort of way in which the matter had been treated, was a little extraordinary. The honorable gentleman, if his recollection did not greatly deceive him, had, on a former day, said, that he had his doubts upon one of the heads of the general account, but that he could not say whether those doubts were well founded or not, because he saw a more particular statement of the items of the accounts ; that particular statement had now been presented some days, and the honorable gentleman had just declared, he still entertained his doubts, but that he left it to other gentlemen to promote the discussion. Mr. Sheridan added, that he wished the honorable gentleman would either act upon his doubts, or get some other gentleman to take his doubts up for him, and act upon them. From what had already passed in that house upon

the subject, the matter ought not to drop without a farther investigation.

Mr. Burgess answered, that if the house thought it was now more peculiarly his province to bring the subject forward, he had not the smallest objection to take the task upon him; and, in that case, he believed the proper way would be either to move "that the papers be referred to a committee of the whole house; or to give notice of a day on which he would state his sentiments upon their contents.

Mr. Pitt recommending the latter mode, Mr. Burgess gave notice for the ensuing Friday.

Mr. Pitt called upon Mr. Sheridan to know, when the honorable gentleman meant to bring forward his promised discussion of the operation and effect of the commutation act.

Mr. Sheridan answered, that from the right honorable gentleman's pressing so much to know when he would bring forward the discussion of the commutation act, he was persuaded that the right honorable gentleman entertained strong hopes, that he would not be able to introduce the investigation of it during the course of the present session. The right honorable gentleman, however, ought to recollect, that there were gentlemen in that house who had no inconsiderable share of important duty to discharge elsewhere. It was well known that he had been employed for some time past in managing the prosecution of a charge of some magnitude in Westminster-Hall. It was not very fair, therefore, pending such a business, to call upon him to say, when he would bring forward the discussion of a very different subject in that house. This, he would assure the right honorable gentleman, that as soon as had summed up the charge he had been superintending, he would, if the house was likely to sit long enough, give notice the very next day, that at the distance of two or three days only, he would resume the discussion of the effects of the commutation act.

Mr. Pitt declared himself perfectly satisfied.

JUNE 3.

PROCEEDINGS AGAINST MR. HASTINGS IN WESTMINSTER-HALL.

MR. SHERIDAN'S SPEECH ON SUMMING UP THE EVIDENCE ON THE SECOND, OR BEGUM CHARGE.

Since the commencement of this memorable trial, Westminster-Hall had not experienced so numerous or so brilliant an assemblage of persons as crowded every part of it this day. By eight o'clock in the morning, the avenues leading to the court, through New and Old Palace Yards, were filled with persons of the first distinction, many of them peeresses in full dress, who stood in the open air for upwards of an hour before the gates were opened. The exertions made in pressing forward, to get convenient seats, had nearly proved fatal to many.

The peers did not enter the Hall till twelve o'clock. A few minutes after, the Lord Chancellor, having bowed to Mr. Sheridan, to signify to him that their lordships were then ready to hear him, that honorable gentleman rose, whilst all about him preserved the most dignified and awful silence.

Mr. SHERIDAN said it was not his intention to trespass upon their lordships' attention for any length of time, in the consideration of the charge immediately before them, by making many preliminary observations. Such general remarks, as it was in his power to make, would only weaken what had been already urged by the right honorable gentleman who was the principal mover of the impeachment—whose genius exceeded every thing but his disposition—who understood and felt for all—through whom, and by whom, so great an *embodied stand* had been made in defence of the *rights of man* against *man's oppression*. He might, however, without injury to the general cause, and without exposing too much of their lordships' patience, say a few words, both upon the subject of the impeachment in general; and the particular situation

of himself, and his honorable colleagues, who had been appointed to conduct it.

He thought, that if ever there was a prosecution in which those who carried it on were free from all unwarrantable resentment, or improper bias, it was the present. He could speak from his own heart, and declare most solemnly, that he found there no private incentive to the part he had taken in this impeachment; and he verily believed he might safely say that all his honorable colleagues, as well as himself, were actuated solely by the zeal they felt for the public welfare, and their honest solicitude for the honor of their country, and the happiness of those who were under its dominion and protection. With such subjects in view, he really lost sight of Mr. Hastings; who, however great in other respects, was too insignificant to be mixed with such important considerations. "The unfortunate gentleman at the bar is no mighty object in my mind. Amidst the series of mischiefs, *to my sense*, seeming to surround him, what is he but a petty *Nucleus*, involved in its *Lamina*, scarcely seen or thought of." It was impossible, therefore, that his honorable colleagues or himself should feel themselves under the influence of malice or ill-will towards the object of the prosecution; they acted solely under a delegated power; they stood at their lordships' bar as the representatives of the commons of England; and as they acted in that public capacity, it might as well be said that the commons of Great Britain, in whose name the impeachment had been brought before their lordships, were actuated by malice to the prisoner, as that the managers of the house of commons had any private spleen to gratify in discharging the duty imposed upon them by their principals. In truth, the prosecution was not *begotten in prejudice, or nursed in error*. It was founded in the clearest conviction of the wrongs which the natives of Hindostan had suffered, through

the mal-administration of those, in whose hands the country had placed extensive powers, which ought to have been exercised for the benefit of the governed ; but which had been used, by the prisoner at the bar, for the shameful purposes of oppression.

To convince their lordships that the British government, which ought to have been a blessing to the powers in India connected with it, had been a scourge to the natives, and the cause of desolation to the most flourishing provinces in Hindostan ; he had only to read a letter that had been received not long since from Lord Cornwallis, the present Governor-General of Bengal. In that letter the noble lord stated, he had been received by the Nabob Visier with every mark of friendship and respect ; but the honors he received at the court of Lucknow had not prevented him from seeing the desolation that overspread the face of the country, the sight of which had shocked his very soul. He spoke to the Nabob on the subject, and earnestly recommended it to him to adopt some system of government, that might restore the prosperity of his kingdom, and make his people happy. The Nabob's answer was strikingly remarkable.—That degraded prince said to his lordship, that as long as the demands of the English government upon the revenue of Oude should remain unlimited, he (the Nabob) could have no interest in establishing any system of economy ; and whilst the English should continue to interfere in the internal government of his country, it would be in vain for him to attempt any salutary reform ; for his subjects knew he was only a cypher in his own dominions, and therefore laughed at and despised his authority, and that of his ministers.

Surely the state to which that wretched prince was reduced by our mismanagement ; and the ruin which had, by the same cause, been brought upon his country, called loudly upon their lordships to interfere, and rescue their national honor and cha-

acter from the infamy to which both would be exposed, if no enquiry was made into the causes of such calamities, and no punishment was inflicted on the authors of them. *Policy*, as well as *justice*, called upon them to vindicate the character of Great Britain in India ; for he would prove to them, from good authority, that the native powers had so little reliance upon our faith, that the preservation of our empire, in that quarter of the world, could be effected only by convincing the native princes, that a religious adherence to its engagements, should, in future, characterize the British government in that country. To prove the necessity there was for bringing such a conviction to the mind of every native prince, Mr. Sheridan read a letter addressed to Lord Cornwallis, from Captain Kirkpatrick, who, when he wrote it, was resident at the court of the Great Maratta chief, Madajee Scindia. This gentleman stated in his letter, that the new system of moderation brought about by his lordship, was certainly the only one that could give stability to our empire in India ; but, at the same time, he must observe, that as the princes of that country had so frequently had cause to lament that no engagement could bind us, it would require time, and repeated proofs of good faith, to convince them that we were serious in the professions which were then held out to them on the part of the British government ; that *ambition*, or a desire of *conquest*, should no longer be encouraged by British councils ;—and that strict adherence to all treaties and engagements should be the basis of all our future political transactions.

To these letters, Mr. Sheridan said, he must call upon their lordships to give an answer,—not by *words*, for they will find no credit with the natives, who had so often been deceived by our professions ; but by *deeds*, which would convince them that we were truly in earnest ; for it was only by our punishing those who have been guilty of the delinquencies which have brought ruin on the country, that we

could possibly gain confidence with the people of India, and satisfy them that future delinquents will not be encouraged or countenanced by the ruling powers at home.

In looking round for an object fit to be held out to the world as an example of national justice, their lordships must necessarily fix their eyes upon Mr. Hastings. He was the great cause of the degradation of our character in India, and of the oppression of its devoted inhabitants; and he was the only victim that could atone for the calamities he had occasioned.

But whilst he pointed out the prisoner at the bar as a proper object of punishment, he begged leave to observe, that he did not wish to turn the sword of justice against that man, merely because an example ought to be made; such a wish was as far from his heart as it was incompatible with equity and justice. If he called for punishment upon Mr. Hastings, it was because he thought him a great delinquent; and the greatest of all those who, by their rapacity and oppression, had brought ruin on the natives of India, and disgrace upon the inhabitants of Great Britain.

Whilst he called for justice upon the prisoner, he could wish also to do him justice.—He would be sorry that the weight and consequence of the commons of Great Britain, in whose name the prosecution had been set on foot, should operate to his prejudice. Indeed, whilst he had such upright judges as their lordships, it was impossible that any thing could injure him, but the clearest and most unequivocal proofs of guilt.—“It is not the peering suspicion of apprehending guilt—It is not any popular abhorrence of its wide-spread consequences—It is not the secret consciousness in the bosom of the judge, which can excite the vengeance of the law, and authorise its infliction!—No—In this good land, as high as it is happy, because as just as it is free, all is definite, equitable, and exact—The laws must

be satisfied before infliction ensues—And ere a hair of the head can be plucked, **LEGAL GUILT** must be established by **LEGAL PROOF!**”

This principle, must be admitted, as conclusive ; though, in the present case, he felt the inconvenience of it, which might operate as a bar to public justice ; for the managers of the impeachment labored under difficulties, that could scarcely occur in any other prosecution. The witnesses, whom they had been obliged to call, were, for the most part (he would state the exceptions in the proper place), the accomplices of the prisoner's guilt, and the instruments of his oppressions. From such witnesses it was not likely that proofs of that guilt could be obtained without great difficulty.

In the *written* documents from which the managers had selected their proofs in support of the impeachment, considerable difficulties had occurred ;—those documents had been drawn up by the parties, whose study it was, as it was their interest, though contrary to their duty, to conceal the iniquity of their proceedings, and, consequently, to disguise the truth.

But though he stated the difficulties, which the managers had to encounter, he did not mean to say that the proofs, which they had adduced, were in any degree defective. “ Weak, no doubt, in some parts, and incompetent—and yet more deplorable, as undistinguished by any compunctious visitings of repenting accomplices—but yet enough, and enough in sure validity, to abash the front of guilt no longer hid, and flash conviction on conscientious judges.”

Having premised these observations, Mr. Sheridan said he would now make some remarks upon the defence, or rather *defences*, made by the prisoner. He had already made *four*, three of which he had since thought proper to abandon, and discredit. Indeed, he believed it was a novelty in the history of criminal jurisprudence, that a person accused

should first make a defence, and afterwards endeavor to convince his judges that they ought not to attach to it the least credit. Mr. Sheridan said, he was the more surprized at this conduct in the prisoner, as it was since he had had the assistance of counsel that he had made this attempt;—he thought, that when he had been rescued from his own incautious rashness, he would not have taken so extraordinary a step as that of discrediting his own defence.

In every court of law in England, the confession of a criminal, when not obtained by any promise of favor or lenity, or by violent threats, was always admitted as conclusive evidence against himself; and if that confession was made before a grave and respectable assembly of persons, competent to take cognizance of crimes, there was no doubt but it would have due weight, because it was fair to presume that such a confession must be *voluntary*, and not procured by any undue or improper means. The prisoner had, in his defence made before the house of commons, admitted many facts; and it was the intention of the managers to urge in support of the charges, his admission of them. For when he went the length of admitting them, he was speaking the language, not of inconsiderate rashness and haste, but of deliberate consideration and reflection, as would appear to their lordships, from a passage, which he should read to them, from the *introduction* to the defence read by Mr. Hastings himself at the bar of the house of commons. In that passage, the prisoner used the following words:

“Of the discouragement to which I allude, I shall mention but two points, and these it is incumbent on me to advert to, because they relate to effects which the justice of this honorable house may, and I trust will, avert. The first is an obligation to my being at all committed in my defence; since, in so wide a field for discussion, it would be impossible not to admit some things, of which an advantage might be taken, to turn them in evidence against

myself; whereas, *another* might as well use, as I could, or better, the same materials of my defence, without involving me in the same consequences. But I am sure that this honorable house will yield me its protection against the cavils of unwarranted inference; and if the *truth* can tend to convict me, *I am content to be MYSELF the channel to convey it.* The other objection lay in my own breast. It was not till Monday last that I formed the resolution; and I knew not then whether I might not, in consequence, be laid under the obligation of preparing and completing in five days (and in effect so it has proved) the refutation of charges which it has been the labor of my accuser, armed with all the powers of parliament, to compile during as many years of almost undisturbed leisure."

Here, then, Mr. Sheridan observed, the prisoner had, upon deliberation, committed his defence to paper; and after having had five days to consider whether he should present it or not, he actually delivered it himself to the house of commons, as a defence founded in *truth*; and triumphantly remarked upon it, that if "*truth* could tend to convict him, he was willing to be himself the channel to convey it."

But what was his language now that he had had the advice of counsel? Why, that there was not a word of truth in what he delivered to the house of commons *as the truth*;—that he had no knowledge of many of the facts, no recollection of the circumstances;—that *he had put his memory in commission*, and appointed Messrs. Middleton, Scott, Gilpin, &c. the *commissioners*; nay, that he had also put his *defences* into commission, to be exercised by the same gentlemen. "These, like raw materials, the master-workman distributes about him to all hands waiting. His words are to be strung—arguments spun—passages are to be woven.—He puts his conscience into departments;—Major Scott, says he, *take care of my consistency*;—Mr. Middleton, you

have my *memory* in commission!—Prove me a financier, Mr. Shore.—Answer for me, Mr. Holt (all journeymen, good enough for the house of commons, though not for your lordships):—Help, one and all, to bear me up under the bare pressure of my laurels, the burthen of my glory!—Refreshen, and save me from the calentures of my state, from the peril of my own panegyric.”

Thus could the prisoner sport with the understanding and feelings of the house, by asserting that to be false and not entitled to credit to-day, which on a former, he had declared to be the truth itself, and the ground of his hope that it would procure him an acquittal; or what would have been the same thing to him, would prevent the commons from carrying up the impeachment against him to their lordships’ bar. Indeed this avowal and disavowal of defences; and from the defence, differing from all the former, which had been delivered to their lordships, it would seem as if Mr. Hastings was of opinion, that any thing would do for the house of commons.—Possibly it might subsequently prove, that he entertained a similar opinion with respect to their lordships; for it was not improbable but he might hereafter abandon the defence he had delivered to them: he might say, “It was not made by me, but by my counsel, and therefore I hope your lordships give no credit to it.” But if he would abide by that his last defence, he (Mr. Sheridan) would join issue with him upon it, and prove it to be in many places void of truth, and in almost every part of it unfounded in argument as well as fact.

Having thus alluded to the different defences made by the prisoner, Mr. Sheridan next adverted to the allegations in the second charge that had been supported in evidence. He said, that the managers had proved the high birth and great rank of the Begums, or Princesses of Oude; they had also proved from the evidence of Sir Elijah Impey, Mr. Middleton, Mr. Goring, and others, how sacred was the

residence of women in India. A threat, therefore, to force that residence, and violate its purity, by sending men armed into it, was a species of torture, the cruelty of which could not be conceived by those who were unacquainted with the customs and notions of the inhabitants of Hindostan. A knowledge of the customs and manners of the Mussulmen of Turkey, would not enable one to judge of those of Mussulmen in India: in the former, ladies went abroad veiled, and though not so free as those in christian countries still they were not so closely shut up as were the ladies professing the same religion in Hindostan. The confinement of the Turkish ladies was in a great measure to be ascribed to the jealousy of their husbands; in Hindostan the ladies were confined, because they thought it contrary to *decorum* that persons of their sex should be seen abroad: they were not the victims of jealousy in the men; on the contrary, their sequestration from the world was *voluntary*; they liked retirement, because they thought it best suited to the dignity of their sex and situation: they were shut up from liberty, it was true; but liberty, so far from having any charms for them, was derogatory to their feelings; they were *enshrined* rather than *immured*; they professed a greater *purity* of *pious prejudice* than the Mahomedan ladies of Europe, and other countries; and more zealously and religiously practised a more *holy* system of *superstition*. Such was their sense of delicacy, that to them the sight of man was pollution; and the piety of the nation rendered their residence a *sanctuary*. What then would their lordships think of the tyranny of the man who could act in open defiance of those prejudices, which were so interwoven with the very existence of ladies in that country, that they could not be removed but by *death*? What he asked, would their lordships think of the man who could threaten to profane and violate the sanctuary of the highest description of ladies in Oude, by saying that he would storm it with

his troops, and remove the inhabitants from it by force ?

Mr. Sheridan dwelt for some time with great feeling on this point. He next adverted to the treasures in the Zenana, and the relation which the Bow Begum and the Nabob stood to each other, and to Mr. Hastings. He adduced various arguments to shew, that these treasures did not belong to the state, but to the Begum ; and most happily ridiculed the memory of Mr. Middleton, that remembered *inferences*, but forgot the *facts* that would support them ; nay, sometimes remembered the facts that overturned them.—Thus, he said, the treasures must have belonged to the *state*, and consequently were the inheritance of the *Nabob*, because that Prince had drawn for a large sum, which was to be paid out of those treasures, *but his draft was not honored*—And he said, they could *not* be the property of the Begum ; for he remembered, that when the Nabob's draft was returned without having been honored, the Begum drew for the same sum, upon the same treasures, *and the money was instantly paid*.

Mr. Sheridan shewed next, that there was very good ground for presuming that the treasures possessed by the Begum were the property of that Princess ; she had endeared herself to her husband, the late Nabob, by flying to him in the moment of his distress, after his defeat at Buxar, and carrying with her to his relief the jewels, with which in happier days, his fondness for her had enriched her : upon these she raised him a large supply. When the political generosity of this country restored him afterwards to his throne, his gratitude to his wife knew no bounds : her ascendancy over him was such, that she prevailed upon him to appoint his son *by her*, his successor.

The present Nabob, as had appeared from a passage in a letter written by Mr. Hastings to him, and since proved in evidence, owed to her not only

his birth and succession to the crown, but also the preservation of his life; for one day his savage father in a rage attempting to cut him down with his scymeter, the Begum rushed between her husband and her son and saved the latter, through the loss of some of her own blood; for she was wounded by the blow that was not aimed at her. A son so befriended and so preserved, Mr. Hastings had armed against such a mother—he invaded the rights of that prince, that he might compel him to violate the laws of *nature*, by plundering his parent; and he made him a *slave*, that he might afterwards make him a *monster*. Mr. Hastings was bound to be the *protector* of the Begum, instead of her *plunderer*; for her husband, on his death bed, bequeathed her to his friendship; and Mr. Hastings had always called that husband *his brother*—but no consideration could make him discharge the duties of any obligation that could set bounds to his *rapacity*.

The interference of Mr. Bristow in 1775, in the difference between the Begums and the Nabob, in consequence of the claims of the latter, was the next ground of Mr. Sheridan's observations.—Mr. Bristow had then, in a conversation with the superior or elder Begum, thrown out an insinuation, that the treasures which she possessed were the treasures of the state;—and on this insinuation, so termed by Mr. Bristow himself, had Mr. Hastings founded all his arguments on that head, and on which he lately appeared to place so much reliance.—The Begums at that time gave up to Asoph ul Dowlah sums amounting to five hundred and fifty thousand pounds.—Of this a part was to be paid in goods, which, as they consisted of arms, elephants, &c. the Nabob alleged to be his property, and refused to accept as payment. This occasioned a dispute, which was referred to the Board of Calcutta. Mr. Hastings then vindicated the right of the Begums to all the goods in the Zenana, and brought over the majority of the council to his opi-

nion. The ideas then placed on record he had since found it convenient to disown, as belonging not to him, but to the majority of the council!

"There are," said Mr. Sheridan, "in this assemblage, those who are perfect in their ideas of law and justice, and who understand tolerably well *majorities* and *minorities*; but how shall I instance this new doctrine of Mr. Hastings? It is as if Mr. Burke, the *great leader of the cause*, should some ten years hence revile the *managers*, and commend Mr. Hastings!" "Good God!" might say one of those gentlemen, "it was *you* who instigated the enquiry; it was *you* who made me think as I did!" "Aye; very true," might Mr. Burke reply, "but I was then in a *minority*: I am now in a *majority*; I have left my opinions behind me; and I am no longer responsible."

The claims however, it was observable, of the Nabob, as to the treasure of the Begums, were at this time the only plea alleged for the seizure. These were always founded on a passage of that *Koran* which was perpetually quoted, but never proved.—Not a word was then mentioned of the strange rebellion, which was afterwards conjured up, and of which the *existence* and the *notoriety* were equally a secret!—a disaffection which was at its height at the very time when the Begums were dispensing their liberality to the Nabob, and exercising the greatest generosity to the English officers in distress!—a disturbance, in short, without its parallel in history, which was raised by two *women*—carried on by two *eunuchs*—and finally suppressed by an *affidavit*!

Mr. Sheridan then adverted to the negotiations of Mr. Middleton with the Begums in 1778, when the discontents of the superior Begum would have induced her to leave the country, unless her authority was sanctioned, and her property secured by the guarantee of the company.—This guarantee the counsel—or Mr. Hastings, had thought it necessary

to deny, as knowing that if the agreements with the elder Begum were proved, it would affix to Mr. Hastings the guilt of all the sufferings of the women of the Khord Mahal, the revenues for whose support were secured by the same engagement. In treating this part of the subject, the principal difficulty arose from the *uncertain* evidence of Mr. Middleton, who, though concerned in the negociation of the *four* treaties, could not recollect affixing his signature to *three* out of that number. Mr. Sheridan proved however, from the evidence even of Mr. Middleton, that a treaty had been signed in October, 1778, wherein the rights of the elder Begum were fully recognized; a provision secured for the women and children of the late Vizier in the Khord Mahal; and that these engagements had received the fullest sanction of Mr. Hastings. These facts were confirmed by the evidence of Mr. Purling, a gentleman, who Mr. Sheridan said, had delivered himself fairly, and as having no *foul secrets* to conceal. He had transmitted copies of these engagements in 1780 to Mr. Hastings at Calcutta; the answer returned was, that in arranging the taxes on the other districts, he should pass over the jaghires of the Begums. No notice was then taken of any impropriety in the transactions in 1778, nor any notice given of an intended revocation of those engagements.

But in June, 1781, when General Clavering and Colonel Monson were no more, and Mr. Francis had returned to Europe, all the *hoard* and *arrear* of collected evil burst out without restraint, and Mr. Hastings determined on his journey to the upper provinces.—It was then, that without adverting to intermediate transactions, he met with the Nabob Asoph ul Dowlah at Chunar, and received from him the mysterious present of 100,000*l*. To form a proper idea of this transaction, it was only necessary to consider the respective situation of him who gave, and of him who received this present. It was not

given by the Nabob from the superflux of his wealth nor in the abundance of his esteem for the man to whom it was given. It was on the contrary, a prodigal bounty, drawn from a country depopulated—no matter whether by natural causes, or by the grinding of oppression. It was raised by an exaction, which took what calamity had spared, and rapine overlooked;—and pursued those angry dispensations of Providence, when a *prophetic* chastisement had been inflicted on a *fated* realm.—The secrecy which had marked this transaction was not the smallest proof of its criminality. When Benarum Pundit had, a short time before, made a present to the company of a lack of rupees, Mr. Hastings, in his own language, deemed it “worthy the praise of being recorded;” but in this instance, when ten times that sum was given, neither Mr. Middleton nor the council were acquainted with the transaction, until Mr. Hastings, four months after, felt himself compelled to write an account to England, and the intelligence returned thus circuitously to his friends in India! It was peculiarly observable in this transaction, how much the *distresses* of the different parties were at variance. Mr. Hastings travels to the Nabob to see, no doubt, and enquire into his *distresses*, but immediately takes from him 100,000*l.* to be applied to the necessities of the *distressed* East India Company; but on farther deliberation, these considerations vanish; a *third* object arises more worthy than either of the former, and the money is taken from the one, and demanded from the other, to be applied to the use of—the *distressed* Mr. Hastings.

The money, it was alleged by Mr. Hastings, had been originally taken to discharge the arrear of the army. It had not long been applied to that use, because it was received in bills on Gopal Dos, a rich banker at Benares, who was then kept a prisoner by Cheit Sing.—Major Scott being questioned on the subject, declared the bills on Gopal Dos were as

good as cash, for that though the principal of the house was a prisoner, that circumstance made no difference whatsoever with the other partners. Thus Mr. Hastings was inconsistent with himself, by alleging an objection which should have prevented his taking the money in the first instance, for the purpose he had stated; and Major Scott contradicting Mr. Hastings, removed the objection, and restored the business to its original footing. But through all those windings of mysterious hypocrisy, and of artificial concealment, it was easy to mark the sense of hidden guilt. Mr. Hastings himself, being driven from every other hold, advanced the stale plea of *state necessity*. But of this necessity he had brought no proof; it was a necessity which listened to whispers for the purpose of crimination, and dealt in rumour to prove its own existence. To a general leading the armies of Britain—to an admiral bearing her thunders over the seas, the plea of necessity might be indulged, if the wants of those were to be supplied whose blood had been spilt in the service of their country; but his “*state necessity*, grand, magnanimous, and all commanding—went hand in hand with honor, if not with use—it went forth with our arms, when the *hero* could plume himself like the *imperial eagle* on his nest, unassailable!—and amidst his fair successes, look down in justified disdain on any malevolent challenge of minute error; his *fame* as firm as the rock, which, from his defence, all the enemy had battered in vain!”

On the business of the treaty of Chunar, which succeeded the acceptance of this bribe, Mr. Sheridan was equally perspicuous and equally severe. It was a proceeding, he observed, which, as it had its beginning in corruption, had its continuance in fraud, and its end in violence. The first proposition of the Nabob, after his recent liberality, was, that the army should be removed, and all the English recalled from his dominions. The bribe which he had given was the obvious price of their removal.

He felt the weight of their oppression :—he knew, to speak his own language, “that when the English staid, they staid to ask for something.” Though their predecessors had exhausted the revenue ;—though they had shaken the tree until nothing remained upon its *leafless* branches, yet a new flight was on the wing to watch the first *buddings* of its prosperity, and to nip every promise of future luxuriance.

To this demand Mr. Hastings had promised to accede, and to recal every Englishman from the province ; but by an evasion which Mr. Middleton disclosed with so much difficulty to their lordships on the last day of his appearance, the promise was virtually recalled. No *orders* were afterwards given for the establishment of Englishmen in the province, but *recommendations* of the same effect with Mr. Middleton and the Vizier were sent, and the practice continued. In the agreement respecting the resumption of the Jaghires, the Nabob had been duped by a similar deception. He had demanded and obtained leave to resume those of certain individuals. Mr. Hastings, however, defeated the permission by making the order general ; knowing that there were some favorites of the Nabob whom he could by no means be brought to dispossess. Such was the conduct of Mr. Hastings, not in the moment of cold or crafty policy, but in the hour of confidence and the effervescence of his gratitude for the favour he had just received. Soaring above every common feeling, he could deceive the man to whose liberality he stood indebted—even his *gratitude* was *perilous* ; and a *danger* actually awaited on the return which he was to make to an effusion of generosity !

The transactions in which Sir Elijah Impey bore a share, and the tenor of his evidence, were the next objects of Mr. Sheridan’s animadversion. The late chief justice of Bengal, he remarked, had repeatedly stated, that Mr. Hastings had left Calcutta with *two*

resources in his view—those of Benares and of Oude. It appeared, however, from every circumstance, that the latter resource was never in his contemplation, until the insurrection in Benares, terminating in the capture of Bedjegur, had destroyed all his hopes in that province. At that instant the mind of Mr. Hastings, fertile in resources, fixed itself on the treasures of the Begums, and Sir Elijah Impey was dispatched to collect materials for their crimination. “But I have ever thought,” said Mr. Sheridan, “the selection of such a personage, for such a purpose, one of the greatest aggravations of the guilt of Mr. Hastings.” That he, the purity of whose character should have influenced his conduct, even in his most domestic retirements; that he, who, if consulting the dignity of British justice, should have remained as stationary as his court in Calcutta;—that such a man should be called to travel 500 miles for the transaction of such a business, was a deviation without a plea, and a degradation without example. This, however, was in some degree a question to be abstracted for the consideration of those who adorned and illumined the seats of justice in Britain, and the purity of whose character precluded the necessity of any further observations on so different a conduct.

With respect to the manner in which Sir Elijah Impey had delivered his evidence, it required some observation, though made without imputing to that gentleman the smallest culpability.—Sir Elijah had admitted, that in giving his evidence he had never answered without looking equally to the probability and the consequences of the fact in question. Sometimes he had even admitted circumstances of which he had no recollection beyond the mere probability that they had taken place.—By consulting in this manner what was *probable*, and the contrary, he might certainly have corrected his memory at times, and Mr. Sheridan said he would accept that mode of giving his testimony, provided that the inverse

of the proposition might also have place, and that where a circumstance was *improbable*, a similar degree of credit might be subtracted from the testimony of the witness. *Five* times in the house of commons, and *twice* in that court, for instance, had Sir Elijah Impey borne testimony that a rebellion was raging at Fyzabad at the time of his journey to Lucknow. Yet on the *eighth* examination, he had contradicted all the former, and declared, that what he meant was, that the rebellion had been raging, and the country was then in some degree restored to quiet. The reasons assigned for the former errors were, that he had forgotten a letter received from Mr. Hastings, informing him, that the rebellion was quelled, and that he had also forgotten his own proposition of travelling through Fyzabad to Lucknow. With respect to the letter, nothing could be said, as it was not in evidence; but the other observation would scarcely be admitted, when it was recollected that in the house of commons Sir Elijah Impey had declared that it was his proposal to travel through Fyzabad, which had originally brought forth the information, that the way was obstructed by the rebellion!—From this information Sir Elijah Impey had gone by the way of Illyabad; but what was yet more singular, was, that on his return he would again have returned by the way of Fyzabad, if he had not been again informed of the danger; so that had it not been for these friendly informations, the chief justice would have run plump into the very focus of the rebellion!—There were two circumstances, however, worthy of remark: the first was, that Sir Elijah Impey should, when charged with so dangerous a commission as that of procuring evidence, to prove that the Begums had meditated the expulsion of their son from the throne, and of the English from Bengal, twice intend to pass through the city of their residence.

“ This *giddy* Chief Justice, said Mr. Sheridan, disregards business: He wants to see the country :

Like some *innocent* school-boy, he takes the primrose path, and amuses himself as he goes: He thinks not that his errand is, on danger and death; and that his *party of pleasure* ends in loading others with irons." When at Lucknow, he never mentions the affidavits to the Nabob;—no, he is too polite;—he never talks of them to Mr. Hastings—out of politeness too. A *Master of Ceremonies* in Justice! When examined at the bar, he said,—he imagines there must have been a *sworn interpreter*, from the looks of the manager. How I looked, Heaven knows, said Mr. Sheridan, but such a physiognomist there is no escaping. He sees a sworn interpreter in my looks;—he sees the manner of taking an oath in my looks!—he sees the Bason and the Ganges in my looks! As for himself, he only looks at the *tops* and *bottoms* of affidavits! In seven years he takes care never to look at these swearings; and then goes home one night, and undoes the whole; though, when he has seen them, Sir Elijah seems to know less about them than when he was not.

The second circumstance worthy of observation, was, that if a conclusion could be formed from a cloud of circumstances, the inference on this occasion would undoubtedly be, that Sir Elijah Impey was dissuaded, by Mr. Hastings and Mr. Middleton, from passing by the way of Fyzabad, as well knowing, that if, as a friend to Mr. Hastings, he were to approach the Begums, he would be convinced, by his reception, that nothing could be more foreign from the truth than the idea of their supposed disaffection. It was also observable, that Sir Elijah Impey, at Lucknow, taking evidence in the face of day in support of this charge of rebellion against the Begums, when conversing with the Nabob and his minister, heard not a single word from either, of a rebellion, by which it was proposed to dethrone the Nabob, and to change the government of his dominions!—And equally unac-

countable it appeared, that Sir Elijah Impey, who had advised the taking of those affidavits for the safety of Mr. Hastings, had never read them at the time, for the purpose of seeing whether they were sufficient for the purpose, or the contrary!—After so long a reserve, however, and after declaring on oath that he thought it unnecessary, the next step taken by Sir Elijah Impey was to read the affidavits, as, however late, they might contribute something to his information. He had been led to this study, by his own allegation, from having been misled by Mr. Sheridan, one of the managers on the part of the Commons, who, by looking at a book which he held in his hand, had persuaded him to declare that a sworn interpreter was present on the receiving of those affidavits;—that Major Davy was present for that purpose;—and that whoever it was, he was perfectly satisfied with his conduct on this occasion;—when it was actually in evidence that no interpreter whatsoever was present. Now, said Mr. Sheridan, how I, by merely looking into a book, could *intimate* the presence of an interpreter; could *inculcate* the assistance of Major Davy; and could also *look* the satisfaction conceived by Sir Elijah Impey; are questions which I believe that gentleman alone is able to determine!

He should admit, however, he said, that Sir Elijah Impey had not strictly attended to forms, on the occasion of taking those affidavits; that he had merely directed the Bible to be given to the Whites, and the Koran to the Blacks, and had packed up in his wallet the returns of both without any further enquiry; or that he had glanced over them in India, having previously cut off all communication between his *eye* and his *mind*, so that no consciousness was transferred from the former to the latter; and that he had read them in England, if possible, with less information: however strange these circumstances might be, he would admit them all;—he would even admit, that the affidavits were

legally and properly taken, and yet would prove that those affidavits were not sufficient to sustain any one point of criminality against those who were the subjects of the present charge.

After some brief observations on some parts of the affidavits, particularly on those of a native officer, who, as Mr. Sheridan observed, gave a specimen of *platoon* firing in his evidence, by giving three affidavits in one day ;* he concluded with observing, that as it would tend very much to abbreviate the discussion of the present charge, to enter more largely into the tendency of those affidavits, he should therefore make a pause for the present, and take the liberty of calling the attention of their Lordships more particularly to this point on an ensuing day.

At half-past four o'clock the Court adjourned to Friday next.

FRIDAY, JUNE 6.

The Court being seated at half-past twelve, after a short pause,

MR. SHERIDAN resumed his speech, by expressing his satisfaction, that in the interval of the adjournment, the remaining part of the evidence, &c. had been printed and laid before their Lordships ;—as it was the wish of the managers that every document should be before the court at the time, for the purpose of determining with more accuracy whether they had or had not borne out the charges which they presented.

Recurring then to the affidavits taken by Sir Elijah Impey at Lucknow, they formed, he observed, a material article in the defence of Mr. Hastings ; and on the decision of their Lordships

* “ He had sworn once—then again—and made nothing of it : then comes he, with another, and swears a third time—and *in company* does better. *Single-handed* he can do nothing—but succeeds by *platoon swearing* and *volleys of oaths* !”

respecting the weight of the allegations which they contained, a great part of this question would finally depend. With respect to one part of the charge made on the Begums,—their having shewn an uniform spirit of hostility to the British government,—it had not only failed, but was absolutely abandoned by the counsel for the prisoner, as not being supported by a tittle of evidence. In deciding on the other parts of this charge, their having committed an overt-act of rebellion, their having inflamed the Jaghirdars, and excited the discontents in Oude, their Lordships were to consider the situation in which Mr. Hastings stood at the time these charges were made. Having failed in his attempt at Benares, his mind was entirely directed to the treasures of the Begums. He knew that such was the situation into which he had plunged the affairs of the Company, that he knew he could not address his *venal* masters, unless some treasure was found. He had, therefore, stood forward as an accuser, where he was also to preside as a judge;—and with much caution should that judge be heard, who has apparently a profit on the conviction, and an interest in the condemnation of the party to be tried. He would not from this infer, however, that the charge was groundless; but he would argue, that until fully proved, it should not meet with implicit credit. It was obvious also that the attempt said to have been made by the Begums to dethrone the Nabob and extirpate the English, was in the highest degree improbable; but he would not infer from thence, that it was impossible. There is in human nature a perverse propensity to evil, which had sometimes caused the perpetration of bad acts, without any obvious gratification resulting to the perpetrator. All he should claim, therefore, was, that the accusations brought by Mr. Hastings against the Begums, should undergo a candid examination, and that probable evidence, at least,

should be brought to the support of charges in themselves improbable.

Mr. Hastings in his defence had complained, that his prosecutor had attempted to blacken these affidavits as rash, irregular, and irrevelant; when they had been authenticated by the presence of Sir Elijah Impey, and as he also observed, being taken in an enquiry, directed solely to establish the guilt of Cheyt Sing, they were merely an accessary evidence in the present case, and were therefore less liable to suspicion. The reasoning, in this last instance, Mr. Sheridan observed, would undoubtedly be good;—but that the assertion, that the enquiries were exclusively directed to the crimination of Cheyt Sing, had been proved an absolute falsehood, as they were really intended to justify what was afterwards to be done. With respect to the epithets bestowed on those affidavits by his honorable friend, the truth would best appear from a review of their contents. Mr. Sheridan then proceeded to remark on the affidavits severally, as far as they related to charges against the Begums. Those of the Jemmadars, or native subaltern officers, contained nothing, it appeared, but vague rumour and improbable surmise.

One deponent, who was a black officer in one of our regiments of Sepoys, stated, that having a considerable number of people as hostages, in a fort where he commanded, and who had been sent thither by Colonel Hannay, the country people got round the fort, and demanded that they should be delivered up;—but instead of complying with their request, he put almost twenty of them to death: he afterwards threw down some of the battlements of the fort, and killed four more of the hostages; and, on another day, the heads of eighteen more were struck off, and among them the head of a great Rajah of the country, by order of Colonel Hannay. The people round about were enraged at this execution, and crowded about the fort: some

of them were heard to say, that the Begums had offered a reward of 1000 rupees for the head of every European; 100 for the head of every Sepoy officer; and 10 for the head of a common Sepoy. But it appeared afterwards, pretty clearly, that no such rewards had, in reality, been offered; for when Captain Gordon's detachment took the field, the people who surrounded him told him, that if he would deliver up his arms and his baggage, they would let him and his men continue their route unmolested: so little were they disposed to enrich themselves by the slaughter of the British forces, that when Captain Gordon's detachment was reduced, by desertion, to *ten* men, and when the slaughter or capture of them would have been of course a work of very little difficulty, the country people remained satisfied with the dispersion of the detachment, and then returned to their homes, without attempting to attack the poor remains of that detachment—the *ten* men who continued with Captain Gordon. That gentleman, in his affidavit *supposed* the Begums to have encouraged the country people to rise, because when he arrived at the bank of the river *Saunda Nutta*, on the opposite bank of which stands the town of Saunda; the Fowzdar, or Governor, who commanded there for the *Bow Begum*, in whose jaghire the town lay, did not *instantly* send boats to carry him and his men over the river; and because the Fowzdar pointed two or three guns across the river. Now, admitting both these facts to be true, they could not affect the Begums; for it was the duty of the Fowzdar to be on his guard, and not to let troops into his fort, until he knew for what purpose they appeared before it. In the next place, there was nothing in the affidavit which indicated that the guns were pointed against *Captain Gordon and his men*; on the contrary, it was possible that these guns had made that gentleman's pursuers disperse; for it was rather remarkable, that they should pursue him whilst he was in

force, and should give over the pursuit, when, by the desertion of his soldiers, his detachment was reduced to *ten* men. However, whatever might have been the cause of their dispersion, Captain Gordon at length got across the river, and found himself in a place of *safety*, as soon as he got into a town that was under the authority of the Begums, who caused him to be sent afterwards, under a protecting guard, to Colonel Hannay. This circumstance was suppressed in the affidavit made afterwards by Captain Gordon; for what purpose it was not for him to judge.

Hyder Beg Cawn, the minister of the Nabob, though swearing both to rumour and to fact, could mention no particulars of an insurrection which was to have dethroned his sovereign. Nor was the evidence of Colonel Hannay and the other English officers more conclusive: loud suspicions appeared to have been propagated at a time of general disturbance, and when the flames of war were raging in the neighbouring province of Benares. Mr. Middleton, though swearing after he had received his final orders from Mr. Hastings respecting the seizure of the treasures, could only say, that he believed the Begums had given countenance to the rebels, and, he had heard, some aid. The whole of the depositions, Mr. Sheridan observed, were so futile, that were they defended in an inferior court of justice, he was convinced he should be forbidden to reply, and told that he was combating with that which was nothing!

With respect to the first part of the charge, the *rebellion* of the Begums, he could find no trace of any such transaction.

“The best antiquarian in our Society,” said Mr. Sheridan, “would be, after all, never the wiser!—Let him look where he would, where can he find any vestige of battle, or a single blow? In this rebellion, there is no soldier, neither horse nor foot: not a man is known fighting: no office-order sur-

vives, not an express is to be seen. This Great Rebellion, as notorious as *our Forty-five*, passed away—unnatural, but not raging—*beginning* in *nothing*—and ending, no doubt, just as it began!

“If rebellion, my Lords, can thus engender unseen, it is time for us to look about. What hitherto has been *dramatic*, may become *historical*;—Knightsbridge may at this moment be invested; and all that is left us, nothing but the forlorn hope—of being dealt with according to the statute—by the sound of the Riot Act, and the sight, if it can be, of another Elijah!”

The Counsel had thought proper to dwell for a time on the Nabob's going to Fyzabad, on his return from Chunar, attended by a guard of 2000 men. Mr. Middleton being asked, whether these men were well-appointed, though on another occasion he had declared himself no military man, caught in the instant a *gleam* of *martial memory*, and answered in the affirmative. The contrary, however, was proved by the evidence of Captain Edwards, who attended the Nabob as his Aid-de-camp, and also that those troops were actually mutinous for their pay, who were then taken to stop the progress of disaffection! Yet he would agree to all that the counsel required;—he would suffer the whole 2000 men to enter full trot into the city of Fyzabad, “whilst Middleton stood by out of his wits, with a gleam of martial memory; and whilst Sir Elijah, like a man going to learn fashions, or freedom in England, takes a sportive tour, as smooth and well-beaten as *Old Brentford*,” for Captain Edwards had fully proved, that it was merely the *usual guard* of the Nabob. It would therefore have been disrespectful to have gone with less attendance; he could have no motive for going *incog.* unless he might have intended to make himself a perfect match for the insurrection, which was also *incog.* or thought that a *rebellion* without an

army, would be most properly subdued by a *prince* without a *guard*.

Another supposed proof of the disaffection of the Begums was brought, by alleging, that 1,000 *Nudgies* had been raised at Fyzabad, and sent to the assistance of Cheit Sing; and this for no other reason than a detachment of the same number being in the list of the forces of the Rajah! This single circumstance was taken as full and complete evidence of the identity of those troops. It was no matter that the officer second in command with Cheit Sing, had sworn that the detachment came from Lucknow, and not from Fyzabad;—this Mr. Hastings would have to be a trifling mistake of one capital for another! The same officer, however, had also deposed, that the troops were of a different description; those of the Begum being swordsmen, and those in the service of the Rajah, matchlockmen. The inference to be made, therefore, undoubtedly was, that the detachment did actually come from Lucknow; not sent, perhaps, by the Nabob, but by some of the Jaghirdars, his favorites, who had abundant power for that purpose, and whose aversion to the English had always been avowed. The name of Sadib Ally, his half-brother, had been mentioned, as being highly criminal in these transactions;—but to the question, why was he not punished? Sir Elijah Impey had given the best answer at that bar, by informing their lordships that Sadib Ally was miserably poor! He had, therefore, found protection in his *poverty*, and safety in his *insolvency*. Every common maxim of judging on such occasions was certain to be overturned by Mr. Hastings. It was generally supposed, that the needy were the most daring; and that necessity was the strongest *stimulus* to innovation;—but the Governor-General, inverting this proposition, had laid it down as an axiom, that the actions of the poor were sufficiently punished by

contempt; that the guilt of an offender should increase in a precise *ratio* with his wealth; and that, in fine, where there was no *treasure*, there could undoubtedly be no *treason*!

Mr. Sheridan next read the letter of the Begum* to Mr. Hastings, complaining of the suspicions which had been so unjustly raised of her conduct; and referring to Captain Gordon, who could testify

* The letter was as follows:—"The disturbances of Colonel Hannay and Mr. Gordon were made a pretence for seizing my jaghire. The state of the matter is this:—When Colonel Hannay was, by Mr. Hastings, ordered to march to Benares during the troubles of Cheit Sing, the colonel, *who had plundered the whole country, was incapable of proceeding, from the union of thousands of Zemindars, who had seized this favorable opportunity*; they harassed Mr. Gordon near Junivard, and the Zemindars of that place and Acherpore opposed his march from thence, till he arrived near Saunda. As the Saunda Nutta, from its overflowing, was difficult to cross without a boat, Mr. Gordon sent to the Fowzdar to supply him: he replied, the boats were all in the river; but would assist him, according to orders, as soon as possible. Mr. Gordon's situation would not admit of his waiting; he forded the Nutta upon his elephant, and was hospitably received and entertained by the Fowzdar for six days. In the mean time, a letter was received by me from Colonel Hannay, desiring me to escort Mr. Gordon to Fyzabad. As my friendship for the English was always sincere, I readily complied, and sent some companies of Nejeebs to escort Mr. Gordon, and all his effects to Fyzabad; where, having provided for his entertainment, I effected his junction with Colonel Hannay. The letters of thanks, received from both these gentlemen, upon this occasion, are still in my possession; copies of which, I gave in charge to Major Gilpin, to be delivered to Mr. Middleton, that he might forward them to the Governor-General. To be brief, those who have loaded me with accusations, *are now clearly convicted of falsehood*. But is it not extraordinary, that, notwithstanding the justness of my cause, nobody relieves my misfortunes! My prayers have been constantly offered to heaven for your arrival; report has announced it, for which reason I have taken up the pen, and request you will not place implicit confidence in my accusers; but weighing in the scale of justice *their falsehoods and my representations*, you will exert your influence in putting a period to the misfortunes with which I am overwhelmed."—Here Mr. Sheridan remarked, that the plain and simple language of truth gave to the representations of the Begum an Herculean force—her complaints were eloquence; her supplications persuasive, and her remonstrances conviction.

her innocence. He also read the letter of Captain Gordon to the Begum,* thanking her for her interference, and acknowledging that he owed his life to her bounty. It had been asked, with an air of some triumph, why Captain Gordon was not called to that bar? He had answered then as now, that he would not call on a man who, in his affidavit, had suppressed all mention of this important transaction. He trusted, that if ever he saw him at that bar, he should witness a contrite zeal to do away the effects of that silence, and behold a penitential tear for the part he had then taken. He hoped, however, for the honor of human nature, that Captain Gordon was then under a delusion; and that he was led on by Mr. Middleton, who was well informed of the business, to act a part of which he did not know the consequences. Every feeling of humanity recoiled from the transaction taken in any other point of view. It was difficult to imagine that any man could say to a benefactor, "The breath that I now draw, next to heaven, I owe to you; my existence is an emanation from your bounty; I am indebted to you beyond all possibility of return, and therefore, my *gratitude* shall be your *destruction*."

The original letters on this occasion from Colonel Hannay and Captain Gordon, to the Begum, had been transmitted by her, through Major Gilpin, to Mr. Middleton, for the purpose of being shewn to Mr. Hastings; but the leaves were torn from

* The letter was as follows:—" Begum Saib, of exalted dignity, generosity, &c. whom God preserve.

" After presenting the usual compliments of servitude, &c. in the customary manner, my address is presented.

" Your gracious letter, in answer to the petition of your servant from Goondah, exalted me. From the contents, I became unspeakably impressed with the honor it conferred. May the Almighty protect that royal purity, and bestow happiness, encrease of wealth, and prosperity.

" *The welfare of your servant is entirely owing to your favor and benevolence, &c. &c.*"

Mr. Middleton's letter-book in the place where they should have appeared. When examined on this subject, he said, that he had deposited Persian copies of those letters in the office at Lucknow, but that he did not bring translations with him to Calcutta, because he left Lucknow the very day after he had received the originals. This excuse, Mr. Sheridan said, he could boldly assert, was a *flat and decided perjury!** It could be proved by corresponding debates, that Middleton had received those letters at least a month before he left Lucknow. He departed from that city on the 17th of October; but must have received those letters before the 20th of the preceding month. He was, therefore, well aware of the purity of those in whose oppression he was engaged; he knew that their attachment was fully proved, at the very time they were charged with disaffection; but as their punishment was predetermined, he, in concert with his principal, found it necessary to suppress the testimonials of their innocence.—This mass of fraud and cruelty, covered as it had been by every art which the vile agents could devise, was now bared to the view, by the aid of that power who can give a *giant's nerve* even to an *infant arm*. The injured sufferers, with tears more powerful than argument, and with sighs more impressive than eloquence, supplicated their lordships' justice,

* In this evidence, Mr. Sheridan said in express terms, "there appeared flat perjury!—enormity, if it was so, beyond all expectation, made manifest by that power, to whose nod all creatures must bend—to whom nothing, in the whole system of thought or action, is impossible;—who can invigorate the arm of infancy with a giant's nerve—who can bring light out of darkness, and good out of evil—can rive the confines of hidden mischief, and drag forth each minister of guilt from amidst his deeds of darkness and disaster; reluctant, alas! and unrepenting;—to exemplify, at least, if not atone; and to qualify any casual sufferings of innocence by the final doom of its oppressor;—to prove there are the never-failing corrections of God, to make strait the obliquity of man."

and called for that retribution which should alight on the detested but unrepenting author of their wrongs.

The benevolent interference of the Begum in favor of Captain Gordon, had been assigned by Mr. Hastings in his defence, to her intelligence of the successes of the English at that period.—That this allegation was founded in manifest falsehood, could very easily be proved. The only success which the British forces at that time met with, was that of Colonel Blair, on the 3d of September, but where he himself acknowledged that another victory gained at such a loss, would be equal to a defeat. The reports spread around the country at the time, were of the most unfavorable cast—that Mr. Hastings had been slain at Benares, and that the English were every where routed. These reports, it was to be remarked, were of infinitely more consequence to the present argument, than the facts which really occurred; but if any doubt remained on the mind of any man, it was only necessary to recur to a never-failing evidence, in that of Mr. Hastings against himself. In a letter to the council, which was on record, Mr. Hastings acknowledged, that from the 22d of August, to the 22d of September, which included, of course, the time of Captain Gordon's liberation, he had been confined in a situation of the utmost hazard—that his safety, during that time, was extremely precarious; and that the affairs of the English were generally thought to be unfavorable in the extreme! In his defence, however, these admissions were totally forgotten. There was also, an observable inconsistency in what was there alleged—that Colonel Hannay had written to the Begum in the stile of supplication—because, in the desperate situation of affairs, he knew of no other which he could adopt; and yet, in the same sentence it was averred, that the Begum had procured the release of Captain Gordon—from her knowledge of the prosperous advances of our army!

It appeared, therefore, beyond the possibility of a doubt, that those princesses had demonstrated the firmness of their attachment to the English, not in the moment of success—not from the impulse of fear, nor from the prospect of future protection;—but at a time when the hoard of collected vengeance was about to burst over our heads; when the measure of European guilt in India, appeared to be completely filled, by the oppressions which had just then been exercised on the unfortunate Cheit Sing; and when offended heaven seemed to interfere, to change the meak disposition of the natives,—to awaken their resentment,—and to inspire their revenge.

The *second* of the remaining parts of the charge against the Begums, was their having inflamed the Jaghirdars. It was evident, however, even from the letters of Mr. Middleton himself, that no such aid was wanted to awaken resentments, which must, unavoidably, have arisen from the nature of the business. There were many powerful interests concerned;—the Jaghires which were depending, were of a vast amount; and as their owners by the resumption, would be reduced, at once, to poverty and distress, their own feelings were sufficient to produce every effect which had been described. It was idle, therefore, to ascribe to the Begums, without a shadow of proof, the inspiring of sentiments which must have existed without their interference. “I shall not waste the time of the court,” said Mr. Sheridan, “on such a subject, but appeal to your lordships, individually, to determine, whether, on a proposal being made to confiscate your several estates,—and the magnitude of the objects are not very unequal—the interference of any two ladies in this kingdom would be at all necessary to awaken your resentments, and to rouse you to opposition,” &c.

The discontents which prevailed in the province of Oude had been also, and with similar justice,

attributed to these princesses, and formed the *third* and last article of charge against them. But the conduct of the officers residing in that province; the repeated complaints from the natives; and the acknowledged rapacity of Colonel Hannay, left no difficulty in tracing those discontents to the source whence they had originated. The Nabob himself was so well convinced of the tyranny of Colonel Hannay, that on a proposition coming from Mr. Hastings to send him back into the province, the Nabob swore by Mahomet, "That if the Colonel was sent back, he would quit the province, and come to reside with Mr. Hastings." The Governor-General, some time after, sent an apology for the suggestion; but it was then too late—Colonel Hannay was dead—and the province was desolate!

"Should a stranger survey the land formerly Sujah Dowlah's, and seek the cause of its calamity—should he ask, what monstrous madness had ravaged thus, with wide-spread war—what desolating foreign foe—what disputed succession—what religious zeal—what fabled monster has stalked abroad, and with malice and mortal enmity to man, has withered with the gripe of death every growth of nature and humanity—all the means of delight, and each original, simple, principle of bare existence? the answer will be, if any answer dare be given, No, alas! not one of these things! no desolating foreign foe!—no disputed succession! no religious super-serviceable zeal! This damp of death is the mere effusion of British amity; we sink under the pressure of their support—we writhe under the gripe of their pestiferous alliance!

Thus they suffered; in barren anguish and ineffectual bewailings. And, O audacious fallacy! says the defence of Mr. Hastings, What cause was there for any incidental ills, but their own resistance?

The cause was nature in the first born principles

of man. It grew with his growth! it strengthened with his strength! It taught him to understand; it enabled him to feel: for where there is human fate, can there be a penury of human feeling? Where there is injury, will there not be resentment? Is not despair to be followed by courage? The God of battles pervades and penetrates the inmost spirit of man, and rousing him to shake off the burthen that is grievous, and the yoke that is galling; will reveal the law written in his heart, and the duties and privileges of his nature—the grand, universal compact of man with man! That power is delegated in trust, for the good of all who obey it;—that the rights of men must arm against man's oppression, for that indifference were treason to human state; and patience, nothing less than blasphemy against the laws which govern the world."

That this representation was not exaggerated, would appear from the description of Major Naylor, who had succeeded Colonel Hannay, and who had previously saved him from the vengeance which the assembled *Ryots*, or husbandmen were about to take on their oppressor. The progress of extortion, it appeared, had not been uniform in that province; it had absolutely increased as its resources failed; and as the labor of exaction became more difficult, the *price* of that encreased *labor* had been charged as an additional tax on the wretched inhabitants! At length, even in their meek bosoms, where *injury* never before begot *resentment*; nor *despair* aroused to *courage*, encreased oppression had its due effect. They assembled round their oppressor, and had nearly made him their sacrifice. So deeply were they impressed with the sense of their wrongs, that they would not even accept of life from those who had rescued Colonel Hannay. They presented themselves to the swords of the soldiery; and as they lay bleeding on the banks of their sacred stream, they comforted themselves with the ghastly hope, that their

blood would not descend into the soil, but that it would ascend to the view of the God of nature, and there claim a retribution for their wrongs!—Of a people thus injured, and thus feeling, it was an audacious fallacy to attribute the conduct to any external impulse.—That God, who gave them the *form of man*, implanted also the wish to vindicate the *rights* of man. Though simple in their manners, they were not so uninformed as not to know that power is in every state a trust reposed for the general good; and that the trust being once abused, it should of course be instantly resented.

The innocence of the Begums, Mr. Sheridan continued, being thus most indubitably and incontrovertibly proved, it could not be allowed that he argued fairly, if he did not immediately infer, from that proof, the guilt of Mr. Hastings. He would go so far as to admit, that Mr. Hastings might have been deluded by his accomplices, and have been persuaded into a conviction of a criminality which did not exist. If that were proved, he would readily agree to acquit the prisoner of the present charge. But if, on the contrary, there appeared in his subsequent conduct, such a concealment as denoted the fullest consciousness of guilt; if all his narrations of the business were marked with inconsistency and contradiction; that mind must be inaccessible to conviction, which could entertain a doubt of his criminality.—From the month of September, in which the seizure of the treasures took place, until the January following, had Mr. Hastings wholly concealed the transaction from the council at Calcutta! If any thing could be more singular than this concealment, it was the reasons by which it was afterwards attempted to be justified. Mr. Hastings first pleaded a want of leisure. He was writing to the council at a time when he complained of an absolute inaction;—he found time to narrate some pretty Eastern tales, respecting the attachment of the sepoy to their cannon,

and their dressing them with flowers on particular occasions; but of a rebellion which convulsed an empire; of the seizure of the treasures to such an amount, he could not find leisure to say one syllable, until he had secured an excuse for his conduct in the possession of the money. The second excuse was, that all communication was cut off with Fyzabad; and this was alleged at the time when letters were passing daily between him and Mr. Middleton; and when Sir Elijah Impey had pronounced the road to be as free from interruption as that between London and Brentford. The third excuse was, that Mr. Middleton had taken with him on his departure from Chunar, all the original papers which it was necessary for Mr. Hastings to consult. That the original papers had not been removed was evident, however, from Mr. Hastings sending a copy of the treaty of Chunar to Mr. Middleton, on the fourth day after the resident's departure; though it appeared that it was re-inclosed at a proper time to Mr. Hastings, to be shewn to the council. A copy of the same had been shewn to the Oriental Grotius, Sir Elijah Impey; which he confessed his having read at the time when he declared his ignorance of the guarantee granted to the Princesses of Oude! Looking to the absurdity of reasons such as these, assigned in defence of a silence so criminal; Mr. Sheridan declared, that he would lay aside every other argument; that he would not dwell on any other topic of guilt, if the council for Mr. Hastings would but join issue on this point, and prove, to the satisfaction of the court, that any of these excuses were, in the smallest degree sufficient for the purpose for which they were assigned.

Amidst the other artifices of concealment, was a letter from Colonel Hannay, dated October 17, 1781, which Mr. Sheridan indisputably proved could not have been written at the time; but was fabricated at a subsequent period; as it contained a

mention of facts, which could by no possibility have been known to Colonel Hannay at the time when it was pretended to have been written. Whatever else could be done for the purpose of concealment, was done in that mixture of canting and mystery, of rhapsody and enigma—Mr. Hastings's Narrative of his Journey to Benares. He there set out with a solemn appeal to heaven for the truth of his averments, and a declaration of the same purport to Mr. Wheeler:—the faith, however, thus pledged, was broken both to God and man; for it was already in evidence, that no single transaction had occurred as it was there stated!

The question would naturally occur to every person who had attended to these proceedings—"Why Mr. Hastings had used all these efforts to veil the whole of this business in mystery?"—It was not strictly incumbent on him to answer the question, yet he would reply, that Mr. Hastings had obviously a *bloody* reason for the concealment. He had looked to the natural effect of strong injuries on the human mind: as in the case of Cheit Sing, he thought that oppression must beget resistance; and the efforts which might be made by the Begums in their own defence, though really the *effect*, he was determined to represent as the *cause* of his proceedings. Even when disappointed in those aims by the natural meekness and submission of those with whom he was to act, he could not abandon the idea; and accordingly in his letter to the directors, of January 5, 1782, had represented the subsequent disturbances in Oude, as the positive cause of the violent measures which he had adopted—*two months* before those disturbances had existence! He there congratulates his masters on the seizure of those treasures which, by the law of Mahomet, he assures them were the property of Asoph ul Dowlah. Thus the perturbed spirit of the Mahometan law, according to Mr. Hastings's idea, still hovered round those treasures, and envied

them to every possessor, until it at length saw them safely lodged within the *sanctuary* of the British Treasury! In the same spirit of piety, Mr. Hastings had assured the house of commons, that the inhabitants of Asia believed that some unseen power interfered, and conducted all his pursuits to their destined end. That Providence, however, which thus conducted the efforts of Mr. Hastings, was not the Providence to which others profess themselves indebted;—which interferes in the cause of virtue, and insensibly leads guilt towards its punishment; it was not, in fine, that Providence

“ Whose works are goodness, and whose ways are right.”

The unseen power which protected Mr. Hastings, operated by leading others into criminality, which as far as it respected the Governor-General, was highly fortunate in its effects. If the Rajah Nundocomar brings a charge against Mr. Hastings, Providence so orders it, that the Rajah has committed a *forgery* some years before; which, with some *friendly assistance*, proves a sufficient reason to remove out of the way so troublesome an acquaintance. If the company's affairs are deranged through the want of money, Providence ordains it so that the Begums, though *unconsciously*, fall into a rebellion, and give Mr. Hastings an opportunity of seizing on their treasures! Thus the successes of Mr. Hastings depended not on any positive merit in himself; it was to the inspired *felonies*, the heaven-born *crimes*, and the providential *treasons* of others that he was indebted for each success, and for the whole tenor of his prosperity!

It must undoubtedly bear a strange appearance, that a man of reputed ability should, even when acting wrongly, have had recourse to so many bungling artifices, and spread so thin a veil over his deceptions. But those who testified any surprise at this circumstance, must have attended but little to the demeanor of Mr. Hastings. Through the

whole course of his conduct he seemed to have adhered to one general rule—to keep as clear as possible off the fact which he was to relate! Observing this maxim, his only study was to lay a foundation as *fanciful* and as ornamental as possible;—then by a superadded mass of fallacies, the superstructure was soon complete, though by some radical defect it never failed to tumble on his own head:—rising from those ruins, however, he was soon found rearing a similar edifice, but with a like effect. Delighting in difficulties, he disdained the plain and secure foundation of truth; he loved, on the contrary, to *build* on a *precipice*, and *encamp* on a *mine*. Inured to falls, he felt not the danger; and frequent defeats had given him a hardihood, without impressing a sense of the disgrace.

It had been a maxim once as much admitted in the practice of common life, as in the school of philosophy, that where heaven was inclined to destroy the vice, it began by debasing the intellect. This idea was carried still farther by the right honorable gentleman (Mr. Burke), who opened the prosecution; who declared, that *prudence* and *vice* were things absolutely incompatible;—that the vicious man being deprived of his best energies, and curtailed in his proportion of understanding, was left with such a short-sighted degree of penetration, as could not come under the denomination of *prudence*. This sentiment did honor to the name of his right honorable friend: “to whom,” said Mr. Sheridan, “I look up with homage!—whose genius is commensurate with his philanthropy—whose memory will stretch itself beyond the fleeting objects of any little partial shuffling, through the whole wide range of human knowledge, and honorable aspiration after human good; as large as the system which forms life—as lasting as those objects that adorn.”

But it was still to be remembered, that there were other characters besides a Cæsar and a Cromwell; who, acting on determinations inimical to

virtue, and hostile to the laws of society, had proceeded, if not with *prudence*, yet with an all-commanding *sagacity*, that was productive of similar effects. Those, however, were isolated characters, which left the vice that dared to follow either in a state of despondent vassalage, or involved it in destruction. Such was the present instance of failure; and such it was always to be trusted would be that of every other who regarded such characters with an eye of emulation. Such was the perpetual law of nature, that virtue, whether placed in a circle more contracted or enlarged, moved with sweet consent in its allotted orbit; there was no dissonance to jar, no asperity to divide; and that harmony which made its felicity, at the same time constituted its protection. Of vice, on the contrary, the parts were disunited, and each in barbarous language clamored for its pre-eminence. It was a scene where though one domineering passion might have sway, the others still pressed forward with their dissonant claims, and in the *moral world*, effects still awaiting on their causes, the discord of course ensured the defeat.

Mr. Sheridan reverted again to the subject of the claims made on the Princesses of Oude. Whether those were first made by the Nabob, or suggested to him by his sovereign, Mr. Hastings, though the counsel had labored much to prove the former, appeared to him to carry very little difference. If the seizure was made as a *confiscation* and punishment for supposed guilt—then, if ever there was a crime which ought to pass “unwhipped of justice,” it was that where a son must necessarily be made the instrument of an infliction, by which he broke his covenant of existence, and violated the condition by which he held his rank in society. If, on the contrary, it was meant as a *resumption*, in consequence of a supposed right in the Nabob, then Mr. Hastings should have recollected the guarantee of the company granted to the Begums; unless it was

meant to be said, that Mr. Hastings acted in that as in other instances; and assured them of his protection, until the very moment when it was wanted. It was idle, however, to dwell on the conduct or free agency of a man who, it was notorious, had no will of his own. What Mr. Middleton asserted at that bar would scarcely be put in competition with a series of established facts; by which it appeared, that the Nabob had submitted to every indignity, and yielded to every assumption. It was an acknowledged fact, that he had even been brought to join in that paltry artifice which had been termed the subornation of letters. This practice was carried to such a length, that he in the end complained, in a manner rather ludicrous, that he was really tired of sending different characters of Mr. Bristow, in pursuance of the directions sent to the resident. He had pronounced black white and white black so often, that he really knew not what to say; and therefore begged that, once for all, the friends of Mr. Hastings might be considered as his, and that their enemies might also be the same. After this it was superfluous to argue that the Nabob could direct his views to so important an object as the seizing of the treasures, unless he had been impelled by Mr. Middleton, and authorised by Mr. Hastings!

At half-past four o'clock, Mr. Sheridan being apparently exhausted, by a speech of four hours continuance, the court adjourned.

JUNE 10.

The Lord Chancellor not having had it in his power to attend the court this day, Earl Bathurst presided in his stead, and took his seat upon the woolsack. His lordship having called upon the commons to proceed,

Mr. SHERIDAN rose. He said, that relying upon the attention with which he was honored the last time he had the honor of addressing their lord-

ships, he would not recapitulate on this occasion what he had said on Friday, to shew that the Nabob of Oude had been reduced by Mr. Hastings to the degraded state of a dependent prince, who had no will of his own; but was obliged to pursue any measure which Mr. Hastings was pleased to dictate to him. The counsel for the prisoner had labored to impress their lordships with an idea that the Nabob was a prince, sovereignly independent, and in no degree subject to the control of Mr. Hastings; but after the numberless proofs that had been given of his being a cypher in the hands of the Governor-General, it would be incumbent on the counsel to prove his independence by very strong evidence indeed; and he believed, that in the affair of the resumption of the jaghires, and the seizure of the treasures in particular, they would find it a very difficult matter to execute such a task. The honorable managers had asserted, that the measure of seizing the treasures had originated with Mr. Hastings; and they had given in evidence many strong proofs in support of the assertion; it would be incumbent therefore on the counsel to prove that the measure had originated with the Nabob; and of that they could not give a more satisfactory proof than the paper, or instrument, in which it was originally proposed by him to Mr. Hastings. But as he believed no such proposition ever came from the Nabob as an original measure, so he took it for granted the counsel could never produce any letter or paper from that prince, containing any such proposition, as coming immediately from himself.

The seizure of the treasures and the jaghires was the effect of a dark *conspiracy*, in which no more than *six* persons were concerned. Three of the conspirators were of a higher order—these were Mr. *Hastings*, who might be considered as the principal and leader in this black affair; Mr. *Middleton*, the English resident at Lucknow; and Sir *Elijah Impey*:—the three inferior or subordinate

conspirators were, *Hyder Beg Khan*, the nominal minister of the Nabob, but in reality the creature of Mr. Hastings; Colonel *Hannay*, and *Ali Ibrahim Khan*.

Sir Elijah Impey was intrusted by Mr. Hastings to convey his orders to Mr. Middleton, and to concert with him the means of carrying them into execution. As this gentleman was a principal actor in this iniquitous affair, Mr. Sheridan thought it would be necessary to take notice of some parts of the evidence which he had delivered upon oath at their lordships' bar.

When Sir Elijah was asked, what became of the Persian affidavits (sworn before him) after he had delivered them to Mr. Hastings, he replied, that he really did not know. He was asked, if he had got them translated, or knew of their having been translated, or had any conversation with Mr. Hastings on the subject of the affidavits? He replied, that he knew nothing at all of their having been translated, and that he had no conversation whatever with Mr. Hastings on the subject of the affidavits after he had delivered them to him. He was next asked, whether he did not think it a little singular, that he should not have held any conversation with the Governor-General, on a subject of so much moment as was that of the affidavits he had taken? His answer was, that he did not think it singular; and his reason for thinking to the contrary, was, that he left Chunar the very day after he delivered the affidavits to Mr. Hastings. From this answer their lordships might infer, that Sir Elijah, on quitting Chunar, had left the Governor-General behind him: but Mr. Sheridan said, he would prove that this was by no means the case; for, from letters written by Sir Elijah himself, and which had been read in evidence, it appeared, that he arrived at Chunar the 1st of December, 1781; that he then began to take affidavits; that having completed that business, he and Mr. Hastings left Chunar together, and set

out on the road to Benares; and that, having been together from the 1st to the 6th of December, the former took leave of the latter, and proceeded on his way to Calcutta. Here Mr. Sheridan left their lordships to judge how far Sir Elijah Impey had or had not attempted to impose upon them, when he said, that his reason for not thinking it singular, that he should not have had any conversation with Mr. Hastings on the subject of the affidavits, after he had delivered them to that gentleman, was, *that he left Chunar the very next day*. The inference was, that *therefore* he could not have conversed with him;—but now their lordships must see that such an inference would be false; as Sir Elijah Impey left Chunar in company with the Governor-General; and continued with him till the 6th of December. If then the answer made by Sir Elijah was so worded, as to lead to a false inference, it would be for their lordships to judge, whether the whole of his evidence, on that point, was or was not calculated to mislead and deceive them.

There was another part of the same gentleman's evidence, which he would prove was not entitled to any credit from their lordships. Sir Elijah had sworn, that he knew nothing of the Persian affidavits having been translated. Now it so happened that a letter from Major William Davy, the confidential secretary of Mr. Hastings, and Persian translator, had been read to their lordships in evidence; from which it appeared, that he had made an affidavit before Sir Elijah Impey himself, at Buxar, on the 12th of December, just six days after that gentleman and Mr. Hastings parted, the purport of which was, that the papers annexed to the affidavit were faithful translations of the Persian affidavits (also annexed) taken by Sir Elijah; the date (the 12th of December) appeared no fewer than six times in Major Davy's deposition, so that there could not be any mistake in it; it was sworn before Sir Elijah, and *was signed by him*; and yet,

that gentleman had sworn, before their lordships, that he had never heard of any translation of those Persian affidavits. Upon these two circumstances, Mr. Sheridan said, he would make only one remark, which had been used by a very great man, "*That no one could tell where to look for truth, if it could not be found on the judgment seat ; or know what to credit, if the affirmation of a judge was not to be trusted.*"

Sir Elijah Impey, as he had observed before, was intrusted by Mr. Hastings to concert with Mr. Middleton the means of carrying into execution the orders of which Sir Elijah was the bearer from the Governor-General to the Resident. These orders did not appear any where in *writing* ; but their lordships had been made acquainted with the purport of them by the most satisfactory evidence : they therefore knew that Mr. Middleton was, in obedience to them, to persuade the Nabob to propose, as from himself, to Mr. Hastings, the seizure of the Begums' treasures. That this was the real fact, would appear unquestionable, from the general tenor of Mr. Middleton's letters on the subject, and from Mr. Hasting's own account of the business in his defence. The latter appeared to be extremely at a loss how to act about the treasures. The (supposed) rebellion of the Begums made it extraordinary, that at the moment when he was confiscating their estates, he should stipulate that an annual allowance, equal to the produce of those estates, should be secured to them. He found himself embarrassed how to proceed also respecting the treasures ; for, on the one hand, he did not wish to appear the principal mover in seizing them, and yet he did not hesitate to charge them with treason and rebellion ; for which he might have seized them as forfeited to the state. In the latter case it looked as if he feared to do what the treason of the Begums would have justified him in doing. His embarrassment on this occasion proved that he was

conscious of the injustice of his proceedings against those ladies. If they were notoriously in rebellion, there could not be any ground for his being ashamed of appearing in the measure of seizing their property: it was only the consciousness of their innocence that could make him afraid of undertaking what would bring upon him the execration of all ranks of people. In this perplexity he desired Sir Elijah Impey would instruct Mr. Middleton to urge the Nabob to propose, as from himself, the seizure of the treasures. The unhappy prince, without a will of his own, consented to make the proposal, as an alternative for the resumption of the jaghires—a measure to which he had the most unconquerable reluctance. Mr. Hastings, as it were to indulge the Nabob, agreed to the proposal; rejoicing at the same time that his scheme had proved so far successful, as that this proposition, coming from the Nabob, would, as he thought, free him (Mr. Hastings) from the odium of plundering the princesses. But the artifice was too shallow; and their lordships were now able to trace the measure to its source. They were now apprized, from the evidence, that Mr. Hastings had *suggested* it to Sir Elijah Impey, that he might *suggest* it to Mr. Middleton, that he might *suggest* it to the Nabob, that his highness might *suggest* it to Mr. Hastings; and thus *suggestion* returned to the place from which it originally set out. One single passage from a letter, written by Mr. Middleton to Mr. Hastings, on the 2nd of December, 1781, would make this point appear as clear as day. In this passage Mr. Middleton informed the Governor-General, “That the Nabob, wishing to evade the measure of resuming the jaghires, had sent him a message to the following purport:—That if the measure proposed was intended to procure the payment of the balance due to the company, he could better and more expeditiously effect that object, by taking from his mother the treasures of his father; which he asserted to be

in her hands; and to which he claimed a right, founded in the laws of the Koran; and that it would be sufficient that he (Mr. Hastings) *would hint his opinion upon it, without giving a formal sanction to the measure proposed.* Mr. Middleton added, *The resumption of the jaghires it is necessary to suspend, till I have your answer to this letter."*

Upon this letter, Mr. Sheridan said, he had some observations to submit. In the first place, it was clear, that though the Nabob had consented to make the desired proposal for seizing the treasures, it was only an *alternative*; for it entered into the Nabob's head both to seize the treasures, and resume the jaghires: the former measure he wished to substitute in the room of the latter, and by no means to couple them together; but Mr. Hastings was too nice a reasoner for the prince—for he insisted that one measure should be carried into execution, because the Nabob had proposed it; and the other because he himself determined upon it; and thus each party found his *alternative* adopted.

Another remark upon this letter was, that here the Nabob was still taught to plead his right to the treasures, as founded upon the laws of the Koran; but not a word was said about the *guarantee* and *treaty* that had barred or extinguished that right, whatever it might have been. But if all that Mr. Hastings would have the world believe was true, he had a much better claim; against which the treaty and guarantee could not be pleaded;—and that was the *treason* of the Begums, by which they had forfeited all their property to the state, and every claim upon the English for protection. But upon this right by forfeiture, the Nabob was silent;—he was a stranger to rebellion, and to the treason of his parents; and therefore was reduced to the necessity of reviving a claim under the laws of the Koran, which the treaty and guarantee had for ever barred.

The last observation with which he would trouble their lordships, was upon the very remarkable ex-

pression contained in this letter—"That it would be sufficient to *hint his* (Mr. Hastings) *opinion upon it, without giving a formal sanction to the measure proposed.*"—Why this caution? If the Begums had been guilty of treason, why should he be fearful of declaring to the world, that it was not the practice of the English to protect rebellious subjects, and prevent their injured sovereigns from proceeding against them according to law? That therefore he considered the treaty and guarantee, by which the Begums held their property, as no longer binding upon the English government, who consequently could have no further right to interfere between the Nabob and his rebellious parents, but ought to leave him at liberty to punish or forgive them as he should think fit. But, instead of holding this language, which manliness and conscious integrity would have dictated, had he been convinced of the guilt of the Begums, Mr. Hastings wished to derive all possible advantage from *active* measures against the Begums, and, at the same time, so far to save appearances, as to be thought *passive* in the affair.

Mr. Sheridan remarked, that in another passage of the same letter upon which he had just made these observations, Mr. Middleton informed the Governor-General that he sent him at the same time a letter from the Nabob on the subject of seizing the treasures; but this letter had been suppressed. Mr. Sheridan called upon the counsel for the prisoner to produce it, and then it would speak for itself; or to account satisfactorily to their lordships for its not having been entered upon the company's records. But this, he said, was not the only suppression of which he had reason to complain; the affidavit of Goullass Roy, who lived at Fyzabad, the residence of the Begums, and who was known to be their enemy, was suppressed. No person could be so well informed of their guilt, if they had been guilty, as Goullass Roy, who lived upon the spot where

levies were said to have been made for Cheit Sing, by order of the Begums. Therefore, if his testimony had not destroyed the idea of a rebellion on the part of the Begums, there was no doubt but it would have been carefully preserved. The information of Mr. Scott had also been suppressed. That gentleman had lived unmolested at Saunda, where Sumpshire Khan commanded for the Begums, and where he had carried on an extensive manufacture, without the least hindrance from this (supposed) disaffected Governor Sumpshire Khan. Mr. Scott was at Saunda when Captain Gordon arrived there, and when it was said that the governor pointed the guns of the fort upon Captain Gordon's party. If this circumstance had really happened, Mr. Scott must have heard of it, as he was himself at the time under the protection of those very guns. Why then was not the examination of this gentleman produced? He believed their lordships were satisfied, that if it had supported the allegations against Sumpshire Khan, it would not have been suppressed.

Mr. Sheridan said, it was not clear to him that servile a tool as Mr. Middleton was, Mr. Hastings had thought proper to entrust him with every part of his intentions throughout the business of the Begums; he certainly mistrusted, or pretended to mistrust him in his proceedings relative to the resumption of the Jaghires, when it began to be rumoured abroad, that terms so favorable to the Nabob, as he obtained in the treaty of Chunar, by which Mr. Hastings consented to withdraw the temporary brigade, and to remove the English gentlemen from Oude, would never have been granted, if the Nabob had not bribed the parties concerned in the negotiation to betray the interest of the company. As soon as these rumours reached the ears of Mr. Hastings, he accused Mr. Middleton and his assistant-resident, Mr. Johnson, with having accepted bribes from the Nabob. They both joined in the most solemn as-

surances of their innocence, and called God to witness the truth of their declarations. Mr. Hastings, after this, appeared satisfied; possibly the consciousness that he had in his own pocket the only bribe which had been given on the occasion (the 100,000*l.*) might have made him the less earnest in prosecuting any further enquiry into the business.

From a passage in a letter from Mr. Hastings, it was clear he did not think proper to commit to *writing* all the orders that he wished Mr. Middleton to execute; for there Mr. Hastings expressed his doubts of that person's "firmness and activity; and, above all, of his *recollection of his instructions*, and their importance; and said, that if he (Mr. Middleton) could not rely on his own power, and the means he possessed for performing those services, he would *free him from the charge*, and would proceed himself to Lucknow, and would *himself* undertake them."

Their lordships must presume that the instructions alluded to must have been verbal; for had they been written, there was no danger of their having been forgotten. Here Mr. Sheridan called upon the counsel to state what those instructions were which were of so much importance,—which the Governor was greatly afraid Mr. Middleton would not recollect,—and which, nevertheless, he did not dare to commit to writing, although it would have been the most effectual way to prevent him from forgetting them.

To make their lordships understand some other expressions in the above passage, Mr. Sheridan recalled to their memory, that it had appeared in the evidence, that Mr. Middleton had a strong objection to the resumption of the Jaghires, which he thought a service of so much danger, that he removed Mrs. Middleton and her family when he was about to enter upon it; for he expected resistance not only from the Begums, but from the Nabob's own *au-meels*, who knowing that the Nabob was a reluctant instrument in the hands of the English, thought

they would please him by resisting a measure to which they knew he had given his authority *against his will* ; in a word, Mr. Middleton expected that the whole country, as one man, would rise against him ; and therefore it was that he suspended the execution of the order of resumption, until he should find whether the seizing of the treasures, proposed as an alternative, would be accepted as such. Mr. Hastings pressed him to execute the order for resuming the Jaghires, and offered to go himself upon that service, if the other should decline it. Mr. Middleton, at last, having received a thundering letter from Mr. Hastings, by which he left him to act under “ a dreadful responsibility,” set out for Fyzabad. For all the cruelties and barbarities that were executed there, the Governor-General in his narrative said, he did not hold himself responsible, because he had commanded Mr. Middleton to be *personally* present during the whole of the transaction, until he should have completed the business of seizing the treasures, and resuming the Jaghires. But for what purpose had he ordered Mr. Middleton to be present ?—He would answer, by quoting the orders verbatim.—“ You *yourself* must be *personally present*—you must not allow any negotiation or forbearance ; but must prosecute both services until the Begums are at the entire mercy of the Nabobs.”—These peremptory orders, given under a “ dreadful responsibility,” were not issued for purposes of humanity, that the presence of the resident might restrain the violence of the soldiers, but that Mr. Middleton should be a watch upon the Nabob, to steel his heart against the feelings of returning nature in his breast, and prevent the possibility of his relenting, or granting any terms to his mother and grandmother. This was the abominable purpose for which Mr. Hastings had commanded him to be present in person ; and, on account of his presence for such an end, Mr. Hastings pleaded that

he was not responsible for what was done on that occasion at Fyzabad.

Here Mr. Sheridan was taken ill, and retired for a while, to try if in the fresh air he could recover, so as that he might conclude all he had to say upon the evidence on the second charge. Mr. Adam, in the mean time, read some letters of Mr. Middleton. Some time after, Mr. Fox informed their lordships, that Mr. Sheridan was much better, but that he felt he was not sufficiently so to be able to do justice to the subject he had in hand. The managers therefore hoped their lordships would be pleased to appoint a future day, on which Mr. Sheridan would finish his observations on the evidence. Upon this their lordships returned to their own house, and adjourned the Court to Friday, June 13.

JUNE 13.

At twelve o'clock the Lord Chancellor, and the mover of the present charge, appeared in their respective places, and both in a state of recovered health.

Mr. SHERIDAN began, by apologizing for the interruption which his indisposition had caused on the former day. He assured their lordships, in the strongest terms, that nothing but the importance of the cause, to which he felt himself totally unable to do justice, could have made him trespass on that indulgence, which on other occasions, he had so amply experienced.

He had then concluded, with submitting to their lordships, the whole of the correspondence, as far as it could be obtained, between the principals and agents, in the nefarious plot carried on against the Nabob Vizier and the Begums of Oude. These letters were worthy the most abstracted attention of their lordships, as containing not only a narrative of that foul and unmanly conspiracy, but also a detail of the motives and ends for which it was formed, and an exposition of the trick, the quibble, the prevarication, and the untruth with which it was then acted, and now attempted to be defended!—The question would undoubtedly suggest itself, why the correspondence ever was produced by the parties

against whom it was now adduced in evidence, and who had so much reason to distrust the propriety of their own conduct?—To this the answer was, that it was owing to a mutual and *providential* resentment which had broken out between the parties, which was generally the case between persons concerned in such transactions. Mr. Middleton was incensed, and felt as a galling triumph the confidence reposed by the Governor-General in other agents. Mr. Hastings was offended by the *tardy wariness* which marked the conduct of Middleton; by the various remonstrances by the agent—though as knowing the man to whom they were addressed, they were all grounded on motives of policy, not of humanity; and of expediency, which left justice entirely out of the question; but the great ostensible ground of quarrel was, that Middleton had dared to spend *two days* in negotiation—though that delay had prevented the general massacre of upwards of *two thousand persons*!—The real cause, however, of this difference, was a firm belief on the part of Mr. Hastings, that Mr. Middleton had inverted their different situations, and kept the *lion's share* of plunder to himself. There were, undoubtedly, some circumstances to justify this suspicion. At the time when Mr. Hastings had first complained, the Nabob's treasury was empty, and his troops so mutinous for their pay, as even to threaten his life; yet in this moment of *gratitude* and *opulence*, Middleton intimated the Nabob's desire to make Mr. Hastings a present of 100,000*l*. That sacrifice, however, not being deemed sufficient, Mr. Middleton was recalled, and Major Palmer was sent in his room, with instructions to tell the Nabob that such a donation was *not* to be attempted: the prince, however, with an unfortunate want of recollection, said that “no such offer had ever been in his mind.”—Thus, it had always been considered as the heightening of a favor bestowed, that the receiver should not know from what quarter it came; but it was reserved for

Mr. Middleton to improve on this by such a *delicate refinement*, that the person giving should be totally ignorant of the favor he conferred !

But notwithstanding these little differences and suspicions, Mr. Hastings and Mr. Middleton, on the return of the latter to Calcutta in October, 1782, continued to live in the same style of *friendly collusion*, and *fraudulent familiarity* as ever. But when Mr. Bristow, not answering the purposes of Mr. Hastings, was accused on the *suborned* letters procured from the Nabob, one of which pronounced him the blackest character in existence, while another, *of the same date*, spoke of him as a very honest fellow ; Mr. Hastings thought it might appear particular ; and therefore, after their intimacy of six months, accuses Mr. Middleton also before the board at Calcutta. It was then that in the rash eagerness which distinguished his pursuit of every object, Mr. Hastings had incautiously, but happily for the present purposes of justice, brought forth these secret letters. It mattered not what were the views which induced Mr. Hastings to bring that charge ; whether he had drawn up the accusation, or obliged Mr. Middleton with his *aid* in framing a *defence* ; the whole ended in a repartie, and a poetical quotation from the Governor-General. The only circumstance material to the purposes of humanity, was the production of instruments, by which those who had violated every principle of justice and benevolence, were to see their guilt explained, and it was to be hoped, to experience that punishment which they deserved.

To those *private* letters it was that their lordships were to look for what ever elucidation of the subject could be drawn from the parties concerned : written in the moments of confidence, they declared the real motive and object of each measure ; the *public* letters were only to be regarded as proofs of guilt, whenever they established a contradiction. The counsel for the prisoner had chosen, as the safest

ground, to rely on the public letters, written for the concealment of fraud and purpose of deception. They had, for instance, particularly dwelt on a public letter from Mr. Middleton, dated in December, 1781, which intimated some particulars of supposed contumacy in the Begums, with a view to countenance the transactions which shortly after took place, and particularly the resumption of the Jaghires. But this letter both Sir Elijah Impey and Mr. Middleton had admitted, in their examination at that bar, to be totally false; though if it were in every point true, the apprehension of resistance to a measure could not by any means be made a ground for the enforcement of that measure in the first instance. The counsel seemed displeased with Mr. Middleton for the answer, and therefore repeated the question. The witness, however, did not really fall into their humour; for he declared, that he did not recollect a particle of the letter; and though *memory* was undoubtedly not the *forte* of Mr. Middleton, he was not, perhaps, entirely faulty on this occasion, as the letter was certainly of a *later* fabrication, and perhaps not from his hand. This letter, however, was also in direct contradiction to every one of the defences set up by Mr. Hastings.—Another public letter, which had been equally dwelt on, spoke of the “determination of the Nabob” to resume the Jaghires. It had appeared in evidence, that the Nabob could by no means be compelled to yield to their measures—that it was not until Mr. Middleton had actually issued his own *perwannas* for the collection of the rents, that the Nabob, rather than be brought to the utmost state of degradation, agreed to let the measure be brought forward on his own act! The resistance of the Begums to that measure was noticed in the same letter, as an instance of *female levity*—as if their defence of the property assigned for their subsistence was to be made a reproach;—or that they deserved a reproof for

female lightness, by entertaining a *feminine objection*—to their being *starved*!

This resistance to the measure, which was expected, and the consoling slaughter on which Mr. Hastings relied, were looked to in all those letters as a justification of the measure itself. There was not the smallest mention of the *anterior* rebellion, which by prudent *after-thought* had been so greatly magnified. There was not a syllable of those dangerous machinations which were to have dethroned the Nabob;—of those sanguinary artifices by which the English were to have been extirpated—Not a particle concerning those practices was mentioned in any of Middleton's letters to Hastings, or in the still more confidential communication which he maintained with Sir Elijah Impey; though after the latter his letters were continually posting, even when the Chief Justice was travelling round the country in search of affidavits. When on the 28th of November, he was busied at Lucknow on that honorable business, and when three days after he was found at Chunar, at the distance of two hundred miles, prompting his instruments, and like Hamlet's Ghost exclaiming—"Swear!"—his progress on that occasion was so whimsically sudden, when contrasted with the gravity of his employ, that an observer would be tempted to quote again from the same scene,—"*Ha! Old Truepenny, canst thou mole so fast i' the ground?*"—Here, however, the comparison ceased—for when Sir Elijah made his visit to Lucknow, "*to whet the almost blunted purpose*" of the Nabob, his language was wholly different from that of the poet:—it would have been much against his purpose to have said,

"Taint not thy mind, nor let thy soul contrive

"Against thy mother aught!"

On the subject of those affidavits, he would only make another single observation. Sir Elijah Impey had denied all acquaintance with their contents, though he had been actually accompanied to Buxar

by Major Davy, who there translated them from the Persian, for the use of Mr. Hastings! There was amongst them, an affidavit taken in English, from a native at Buxar, but which was first explained to the deponent by Major Davy in the presence of Sir Elijah Impey. How far therefore the assertion of the Chief Justice was plausible, and how far this fact was consistent with that assertion, he should leave it to their lordships to determine.

It was in some degree observable, that not one of the private letters of Mr. Hastings had been produced at any time. Even Middleton, when all confidence was broken between them, by the production of his private correspondence at Calcutta, either feeling for his own safety, or sunk under the fascinating influence of his master, did not dare attempt a retaliation!—The letters of Middleton, however, were sufficient to prove the situation of the Nabob, when pressed to the measure of resuming the Jaghires, in which he had been represented as acting wholly from himself. He was there described as lost in sullen melancholy—with feelings agitated beyond expression, and with every mark of agonized sensibility. To such a degree was this apparent, that even Middleton was moved to interfere for a temporary respite, in which he might be more reconciled to the measure.—“I am fully of opinion,” said he, “that the despair of the Nabob must impel him to violence; I know also that the violence must be fatal to himself; but yet I think, that with his present feelings he will disregard all consequences.” Mr. Johnson also, the assistant-resident, wrote at the same time to Mr. Hastings, to aver to him that the measure was dangerous, that it would require a total reform of the collection, which could not be made without a campaign! This was British justice! this was British humanity! Mr. Hastings ensures to the allies of the company, in the strongest terms, their prosperity and his protection; the former he secures by sending an army to plunder them of their

wealth and to desolate their soil! His protection is fraught with a similar security; like that of a vulture to a lamb; grappling in its vitals! thirsting for its blood! scaring off each petty kite that hovers round; and then, with an insulting perversion of terms, calling sacrifice, *protection!*—an object for which history seeks for any similarity in vain. The deep searching annals of Tacitus;—the luminous philosophy of Gibbon;—all the records of man's transgressing, from original sin to the present period, dwindle into comparative insignificance of enormity; both in aggravation of vile principles, and extent of their consequential ruin! The victims of this oppression were confessedly destitute of all power to resist their oppressors; but that debility, which, from other bosoms, would have claimed some compassion, with respect to the mode of suffering, here excited but the ingenuity of torture! Even when every feeling of the Nabob was subdued, nature made a lingering, feeble stand within his bosom; but even then that cold unfeeling spirit of magnanimity, with whom his doom was fixed, returned with double acrimony to its purpose, and compelled him to inflict on a parent that destruction, of which he was himself reserved but to be the last victim!"

Yet, when cruelty seemed to have reached its bounds, and guilt to have ascended to its climax, there was something in the character of Mr. Hastings, which seemed to transcend the latter, and overleap the former; and of this kind was the letter to the Nabob, which was dispatched on this occasion. To rebuke Mr. Middleton for his moderation, as was instantly done, was easily performed through the medium of a public and a private letter. But to write to the Nabob in such a manner that the command might be conveyed, and yet the letter afterwards shewn to the world, was a task of more difficulty; but which it appeared by the event was admirably suited to the genius of Mr. Hastings. His

letter was dated the 15th of February, 1782, though the Jaghires had been then actually seized; and it was in proof that it had been sent at a much earlier period. He there assured the Nabob of his coincidence with his wishes respecting the resumption of the Jaghires; he declares, that if he found any difficulty in the measure, he, Mr. Hastings, would go to his *assistance* in person, and lend his aid to *punish* those who *opposed* it; "for that nothing could be more ardent than his friendship, or more eager than his zeal for his welfare." The most desperate intention was clothed in the mildest language. But the Nabob knew, by sad experience, the character with whom he had to deal, and therefore was not to be deceived; he saw the *dagger* glistening in the hand which was treacherously extended, as if to his assistance; and from that moment the last faint ray of nature expired in his bosom. Mr. Middleton from that time extended his iron sceptre without resistance; the Jaghires were seized,—every measure was carried,—and the Nabob, with his feelings lacerated, and his dignity degraded, was no longer considered as an object of regard. Though these were circumstances exasperating to the human heart, which felt the smallest remains of sensibility, yet it was necessary, in idea, to review the whole from the time that this treachery was first conceived, to that when by a series of artifices the most execrable, it was brought to a completion. Mr. Hastings would there be seen standing aloof indeed, but not inactive in the war! He would be discovered in reviewing his agents, rebuking at one time the pale conscience of Mr. Middleton, and at another, relying on the stouter villainy of Hyder Beg Cawn. With all the calmness of veteran delinquency, his eye ranged through the busy prospect, piercing through the darkness of subordinate guilt, and arranging with congenial adroitness the tools of his crimes, and the instruments of his cruelty.

The feelings of the several parties at the time would be most properly judged of by their respective correspondence. When the Bow Begum, despairing of redress from the Nabob, addressed herself to Mr Middleton, and reminded him of the guarantee which he had signed, she was instantly promised that the amount of her Jaghire should be made good; though Mr. Middleton said he could not interfere with the *sovereign* decision of the Nabob respecting the lands. The deluded and unfortunate woman “thanked God that Mr. Middleton was at hand for her relief;” at the very instant when he was directing every effort to her destruction; when he had actually written the orders which were to take the collection out of the hands of her agents! Even when the Begum was undeceived,—when she found that British faith was no protection,—when she found that she should leave the country, and prayed to the God of nations not to grant his peace to those who remained behind, still there was no charge of *rebellion*,—no recrimination made to all her reproaches for the broken faith of the English;—nay, when stung to madness, she asked “how long would be their reign?” no mention of her disaffection was brought forward; the stress was therefore idle, which the counsel for the prisoner strove to lay on these expressions of an injured and enraged woman. When at last irritated beyond bearing, she denounced infamy on the heads of her oppressors, who was there who would not say that she spoke in a *prophetic* spirit, and that what she had then predicted, had not even to its last letter been accomplished! But did Mr. Middleton, even to this violence, retort any particle of accusation? No; he sent a *jocose* reply; stating, that he had received such a letter under her seal, but that from its contents he could not suspect it to come from her; and hoping, therefore, that she might detect the *forgery*! Thus did he add to foul injuries, the vile aggravation of a *brutal jest*;

like the tiger that prowls over the scene where his ravages were committed, he shewed the savageness of his nature, by grinning over his prey, and fawning over the last agonies of his unfortunate victim.

Those letters were then enclosed to the Nabob, who, no more than the rest, made any attempt to justify himself by imputing criminality to the Begums. He merely sighed a hope, that his conduct to his parents had drawn no shame upon his head; and declared his intention to punish—not any disaffection in the Begum—but some officious servants who had dared to foment the misunderstanding between them and the Nabob. A letter was finally sent to Mr. Hastings, about six days before the seizure of the treasure from the Begums, declaring their innocence, and referring the Governor-General to Captain Gordon, whose life they had protected, and whose safety should have been their justification. That enquiry was never made; it was looked on as unnecessary; because the conviction of their innocence was too deeply impressed!

The counsel, in recommending attention to the public in preference to the private letters, had remarked, in particular, that one letter should not be taken as evidence, because it was manifestly and abstractedly private, as it contained in one part the anxieties of Mr. Middleton for the illness of his son. This was a singular argument indeed; and the circumstance, in his mind, merited strict observation, though not in the view in which it was placed by the counsel. It went to shew that some at least of those concerned in these transactions, felt the force of those ties, which their efforts were directed to tear asunder;—that those who could ridicule the respective attachment of a mother and a son;—who would prohibit the reverence of the son to the mother who had given him life;—who could deny to *maternal debility* the protection which *filial tenderness* should afford;—were yet sensible of the *straining* of those *chords* by which they were connected.—

There was something connected with this transaction so wretchedly horrible, and so vilely loathsome, as to excite the most contemptible disgust. If it were not a part of his duty, it would be superfluous to speak of the sacredness of the ties which those aliens to feeling,—those apostates to humanity had thus divided. In such an assembly as that which I have the honor of addressing, there is not an eye but must dart reproof at this conduct;—not a heart but must anticipate its condemnation. **“FILIAL PIETY!** It is the primal bond of society—it is that instinctive principle, which, panting for its proper good, soothes, unbidden, each sense and sensibility of man!—it now quivers on every lip!—it now beams from every eye!—it is an emanation of that gratitude, which softening under the sense of recollected good, is eager to own the vast countless debt it ne’er, alas! can pay, for so many long years of unceasing solitudes, honorable self-denials, life-preserving cares!—it is that part of our practice, where duty drops its awe!—where reverence refines into love!—it asks no aid of memory!—it needs not the deductions of reason!—pre-existing, paramount over all, whether law, or human rule, few arguments can increase and none can diminish it!—it is the sacrament of our nature!—not only the duty, but the indulgence of man!—it is his first great privilege!—it is amongst his last most endearing delights!—it causes the bosom to glow with reverberated love!—it requites the visitations of nature, and returns the blessings that have been received!—it fires emotion into vital principle—it renders habituated instinct into a master-passion—sways all the sweetest energies of man—hangs over each vicissitude of all that must pass away—aids the melancholy virtues in their last sad tasks of life, to cheer the languors of decrepitude and age—explores the thought—elucidates the aching eye!—and breathes sweet consolation even in the awful moment of dissolution!”

The Jaghires being seized, Mr. Sheridan pro-

ceeded to observe, the Begums were left without the smallest share of that pecuniary compensation promised by Mr. Middleton; and as, when tyranny and *injustice* take the field, they are always attended by their *camp-followers*, paltry, pilfering, and petty insult; so in this instance, the goods taken from them were sold at a mock sale at inferior value. Even gold and jewels, to use the language of the Begums, instantly lost their value when it was known that they came from them! Their ministers were therefore imprisoned to extort the deficiency which this fraud had occasioned; and those mean arts were employed to justify a continuance of cruelty. Yet, these again were little to the frauds of Mr. Hastings. After extorting upwards of £600,000 he forbade Mr. Middleton to come to a *conclusive settlement*. He knew that the *treasons* of our allies in India, had their origin solely in the wants of the Company. He could not, therefore, say, that the Begums were entirely innocent, until he had consulted the general *record of crimes*!—the *cash account* at Calcutta! And this *prudence* of Mr. Hastings was fully justified by the event; for there was actually found a balance of *twenty-six* lacks more against the Begums, which £260,000 worth of treason had never been dreamed of before, “Talk not to us,” said the Governor-General, “of their guilt, or innocence, but as it suits the Company’s *credit*! We will not try them by the code of Justinian, nor the Institutes of Timur;—we will not judge them either by the British laws, or their local customs! No! We will try them by the *multiplication table*,---we will find them guilty by the *rule of three*,---and we will condemn them according to the sapient and profound institutes of—*Cocker’s Arithmetic*.”

Proceeding next to state the distresses of the Begums in the Zenana, and of the women in the Khord Mahal, Mr. Sheridan stated, that some observation was due to the remark made by Mr.

Hastings in his defence, where he declared, "that whatever were the distresses there, and whoever was the agent, the measure was, in his opinion, reconcileable to justice, honor, and sound policy." Major Scott, *the incomparable agent* of Mr. Hastings, had declared this passage to have been written by Mr. Hastings with his own hand. Mr. Middleton, it appeared, had also avowed his share in those humane transactions, and blushing retired. Mr. Hastings then cheered his drooping spirits. "Whatever part of the load," said he, "yours cannot bear, my *unburdened* character shall assume. I will crown your labors with my irresistible approbation. Thus, *twin-warriors*, ye shall go forth! you find *memory*, and I'll find *character*---and assault, repulse, and contumely shall all be set at defiance!"

If I could not prove, continued Mr. Sheridan, that those acts of Mr. Middleton were in reality the acts of Mr. Hastings, I should not trouble your lordships by combating these assertions; but as that part of his criminality can be incontestibly ascertained, I shall unequivocally appeal to the assembled legislators of this realm, and call on them to say, whether those acts were justifiable on the score of *policy*. I shall appeal to all the august presidents in the courts of British jurisprudence, and to all the learned ornaments of the profession, to decide whether these actions were reconcileable to *justice*.—I shall appeal to a reverend assemblage of prelates, feeling for the general interests of humanity, and for the honor of the religion to which they belong—let them determine in their own minds, whether those acts of Mr. Hastings and Mr. Middleton, were such as a *Christian* ought to perform, or a *man* to avow!

He next detailed the circumstances of the imprisonment of Bahr Ally Cawn and Jewar Ally Cawn, the ministers of the Nabob, on the grounds above stated; with them was confined that *arch-rebel* Sumpshire Cawn, by whom every act of hostility that had taken place against the English,

was stated to have been committed. No enquiry however, was made concerning his *treason*, though many had been held respecting the *treasure* of the others. He was not so far noticed as to be deprived of his *food* ;* nor was he even complimented with *fetters* ! and yet when he is on a future day to be informed of the mischiefs he was now stated to have done, he must think that on being forgotten, he had a very *providential escape* ! The others were, on the contrary, taken from their milder prison at Fyzabad ; and when threats could effect nothing, transferred by the meek humanity of Mr. Middleton to the fortress of Chunargur. There,

* The following note from Mr. Middleton to Lieutenant Francis Rutledge, dated January 20, 1782, had been read in evidence :—

“ SIR,

“ When this note is delivered to you by Hoolas Roy, I have to desire, that you order the two prisoners to be put *in irons*, *keeping them from all food*, &c. agreeable to my instructions of yesterday.

(Signed) “ NATH. MIDDLETON.”

Mr. Middleton had indeed refused to acknowledge that he wrote this note, alleging that, as he had been accused by Mr. Hastings for his conduct at Fyzabad, he begged he might not be forced to answer questions that would criminate himself. But what was the nature of the accusation brought against Mr. Middleton by Mr. Hastings ? Was it, that he had used harsh methods to get possession of the treasures ? No—the charge was, that he had shewn too much forbearance ; and Mr. Middleton’s answer to Mr. Hastings’s charge, was of a nature which proved that it was not of too great severity that the governor-general had accused him. “ It could not, I flatter myself,” said Mr. Middleton, “ be termed a long or unwarrantable delay (two days). The Nabob was *son* to the Begum whom we were to proceed against—a *son* against a *mother* must at least *save appearances* in his mode of proceeding. In the East it is well known that no man, either by himself or his troops, can enter the walls of a Zenana, scarcely in the case of acting against an open enemy, much less of an ally—an *ally acting against his own mother*. The outer walls, and the Begum agents, were all that were liable to immediate attack ; they were dealt with, and successfully, as the event proved. No further rigour than what I have exerted, could be used against females in this country. *Where Force could be employed, it was not spared.*”

This defence clearly shewed, that Mr. Hastings had accused Mr. Middleton, not of having used *too much severity*, but of *not having used enough*.

where the British flag was flying, they were doomed to deeper dungeons, heavier chains, and severer punishments ;—there, where that flag was flying, which was wont to cheer the depressed, and to elate the subdued heart of misery, these venerable, but unfortunate men were fated to encounter something *lower* than *perdition*, and something *blacker* than *despair* ! It appeared from the evidence of Mr. Holt and others, that they were both cruelly flogged, though one was about seventy years of age, to extort a confession of the buried wealth of the Begums ! Being charged with disaffection, they proclaimed their innocence. “ Tell us where are the remaining treasures, (was the reply)—it is only treachery to your immediate sovereigns :—and you will then be fit associates for the representatives of British faith and British justice in India ! ” —“ Oh ! Faith, Oh Justice ! ” exclaimed Mr. Sheridan, “ I conjure you by your sacred names to depart for a moment from this place, though it be your peculiar residence ; nor hear your names profaned by such a sacrilegious combination, as that which I am now compelled to repeat !—where all the fair forms of nature and art, truth and peace, policy and honor, shrunk back aghast from the deleterious shade !—where all existences, nefarious and vile, had sway ;—where, amidst the black agents on one side, and Middleton with Impey on the other, the toughest head, the most unfeeling heart ! the great figure of the piece, characteristic in his place, stood aloof and independent from the puny profligacy in his train !—but far from idle and inactive,—turning a malignant eye on all mischief that awaited him !—the multiplied apparatus of temporising expedients, and intimidating instruments ! now cringing on his prey, and fawning on his vengeance !—now quickening the limpid pace of craft, and forcing every stand that retiring nature can make in the heart ! violating the attachments and the decorums of life ! sacrificing every emotion of tenderness and honor !

and flagitiously levelling all the distinctions of national characteristics! with a long catalogue of crimes and aggravations, beyond the reach of thought, for human malignity to perpetrate, or human vengeance to punish!

It might have been hoped, for the honor of the human heart, that the Begums had been themselves exempted from a share in these sufferings; and that they had been wounded only through the sides of their ministers. The reverse of this, however, was the fact. Their palace was surrounded by a guard, which was withdrawn by Major Gilpin, to avoid the growing resentments of the people, and replaced by Mr. Middleton, through his fears from that "dreadful responsibility" which was imposed on him by Mr. Hastings. The women of the Khord Mahal, who had not been involved in the Begums' supposed crimes; who had raised no *sub-rebellion* of their own; and who, it had been proved, lived in a distinct dwelling, were causelessly involved in the same punishment; their residence surrounded with guards, they were driven to despair by famine, and when they poured forth in sad procession, were driven back by the soldiery, and beaten with bludgeons to the scene of madness which they had quitted. These were acts, Mr. Sheridan observed, which, when told, needed no comment; he should not offer a single syllable to awaken their lordships' feelings; but leave it to the facts which had been proved, to make their own impressions.

The argument now reverted solely to this point, whether Mr. Hastings was to be answerable for the crimes committed by his agent? It had been fully proved that Mr. Middleton had signed the treaty with the superior Begum in October, 1778. He had acknowledged signing some others of other dates, but could not *recollect* his authority. These treaties had been fully recognized by Mr. Hastings, as was fully proved by the evidence of Mr. Purling, in the year 1780. In that of October, 1778, the Jaghire was secured, which was allotted for the support of

the women in the Khord Mahal : on the first idea of resuming these Jaghires a provision should have been secured to those unfortunate women ; and in this respect Mr. Hastings was clearly guilty of a crime, by his omission of making such provision. But still he pleaded, that he was not accountable for the cruelties which had been exercised. This was the plea which Tyranny, aided by its prime minister Treachery, was always sure to set up. Mr. Middleton had attempted to strengthen this plea, by endeavouring to claim the whole infamy of those transactions, and to *monopolize* the guilt ! He dared even to aver that he had been condemned by Mr. Hastings for the ignominious part he had acted : he dared to avow this, because Mr. Hastings was on his trial, and he thought he should never be tried ;—but in the face of the court, and before he left the bar, he was compelled to confess that it was for the *lenience* not the *severity* of his proceedings that he had been reproved by Mr. Hastings.

It would not, he trusted, be argued, that because Mr. Hastings had not marked every passing shade of guilt, and because he had only given the bold outline of cruelty, that he was therefore to be acquitted. It was laid down by the law of England—that law which was the perfection of reason—that a person ordering an act to be done by his agent, was answerable for that act with all its consequences. Middleton had been appointed, in 1777, the avowed and private agent—the *second-self* of Mr. Hastings. The Governor-General had ordered the measure : Middleton declared that it could not have been effected by milder means. Even if he never saw, nor heard afterwards of the consequences of the measure, he was answerable for every pang that was inflicted, and for all the blood that was shed. But he had heard, and that instantly, of the whole. He had written to arraign Middleton of forbearance and of neglect ! He commanded them to work upon their hopes and fears, and to leave no means

untried, until---to speak their own language, but which would be better suited to the *banditti* of a *cavern*---“they obtained possession of the secret hoards of the old ladies.” He would not allow even of a delay of two days to smoothe the compelled approaches of a son to his mother, on such an occasion! His orders were peremptory; and if a massacre did not take place, it was the merit of accident, and not of Mr. Hastings. After this would it be said, that the prisoner was ignorant of the acts, or not culpable for their consequences? It was true, he had not enjoined in so many words the *guards*, the *famine*, and the *bludgeons*; he had not weighed the *fetters*, nor numbered the *lashes* to be inflicted on his victims. But yet he was equally guilty, as if he had borne an active and personal share in each transaction. It was, as if he had commanded that the heart should be torn from the bosom, and yet had enjoined that no blood should follow. He was in the same degree accountable to the law, to his country, to his conscience, and to his God!

Mr. Hastings had endeavoured also to get rid of a part of his guilt, by observing that he was but *one* of the supreme council, and that all the rest had sanctioned those transactions with their approbation. If Mr. Hastings could prove, however, that others participated in the guilt, it would not tend to diminish his own criminality. But the fact was, that the council had in nothing erred so much as in a criminal credulity given to the declarations of the Governor-General. They knew not a word of those transactions until they were finally concluded. It was not until the January following, that they saw the mass of falsehood which had been published under the title of “Mr. Hastings’s Narrative.” They had been then unaccountably duped into the suffering a letter to pass, dated the 29th of November, intended to deceive the directors into a belief, that they had received intelligence at that time, which was not the fact. These observations, Mr.

Sheridan said, were not meant to cast any obloquy on the council ;—they had undoubtedly been deceived, and the deceit practised on them by making them sign the Narrative, was of itself a strong accusation of Mr. Hastings, and a decided proof of his own consciousness of guilt. When tired of corporeal infliction, his tyranny was gratified by insulting the understanding. Other tyrants, though born to greatness, such as a Nero, or a Caligula, might have been roused, it had been supposed, by reflection, and awakened into contrition ;—but here was an instance which spurned at theory, and baffled supposition : A man born to a state at least of equality ;—inured to calculation, and brought up in habits of reflection ;—and yet proving in the end that monster in nature, a *deliberate and reasoning tyrant*.

The Board of Directors received those advices which Mr. Hastings thought proper to transmit ; but though unfurnished with any other materials to form their judgments, they expressed very strongly their doubts, and as properly ordered an enquiry into the circumstances of the alleged disaffection of the Begums ; pronouncing it, at the same time, a debt which was due to the honor and justice of the British nation. This enquiry, however, on the directions reaching India, Mr. Hastings thought it absolutely necessary to elude. He stated to the council, it being merely stated, that “ if on enquiry certain facts appeared,” no enquiry was thereby directly enjoined ! “ It would revive (said he) those animosities that subsisted between the Begums and the Vizier, which had then subsided. If the former were inclined to appeal to a foreign jurisdiction, they were the best judges of their own feeling, and should be left to make their own complaint.” All this, however, was nothing to the magnificent paragraph which concluded this minute, and to which Mr. Sheridan also requested the attention of the court. “ Beside, (said Mr. Hastings)

I hope it will not be a departure from official language to say, that the *majesty of justice* ought not to be approached without solicitation; she ought not to descend to inflame or provoke, but to withhold her judgment, until she is called on to determine!" What is still more astonishing, is, that Sir John Macpherson, (who, though a gentleman of sense and honor, he stated to be rather Oriental in his imagination, and not learned in the sublime and beautiful, from the immortal leader of this prosecution, and who had before opposed Mr. Hastings) was caught by this *bold bombastic quibble*, and joined in the same words, "that the *majesty of justice* ought not to be approached without solicitation."

"But *justice* is not this halt and miserable object! (continued Mr. Sheridan) It is not the ineffective bauble of an Indian pagod!—it is not the portentous phantom of despair;—it is not like any fabled monster, formed in the eclipse of reason, and found in some unhallowed grove of superstitious darkness, and political dismay! No, my lords!

In the happy reverse of all these, I turn from this disgusting caricature to the *real image*!—*Justice* I have now before me, *august* and *pure*; the abstract idea of all that would be perfect in the spirits and the aspirings of men!—where the mind rises, where the heart expands;—where the countenance is ever placid and benign;—where her favorite attitude is to stoop to the unfortunate—to hear their cry, and to help them,—to rescue and relieve, to succour and save:—majestic from its mercy; venerable from its utility:—uplifted without pride,—firm without obduracy:—beneficent in each preference:—lovely, though in her frown!"

"On *that justice* I rely; deliberate and sure, abstracted from all party purpose and political speculations! not in words, but on facts!—You, my lords, who hear me, I conjure by those *rights* it is your best privilege to preserve; by that fame it is

your best pleasure to inherit; by all those *feelings* which refer to the first term in the series of existence, the *original compact* of our nature—our *controlling rank* in the creation.—This is the call on all, to administer to truth and equity, as they would satisfy the laws and satisfy themselves, with the most exalted bliss, possible, or conceivable for our nature.—the *self-approving consciousness of virtue*, when the condemnation we look for will be one of the most ample mercies accomplished for mankind since the creation of the world!”

My lords I have done!

The court immediately rose, and adjourned to the first Tuesday in the next session of parliament.

JUNE 17.

ROYAL BOROUGHES OF SCOTLAND.

The petitions from the different boroughs of Scotland being read pro forma,

Mr. SHERIDAN expressed his regret, that the unforeseen protraction of other important business had obliged him to defer so long, a subject of such importance, as moving for leave to bring in a bill to regulate the internal government of the royal boroughs of Scotland. He stated his sense of the magnitude of the object to be submitted to the consideration of the house; declaring, at the same time, that he did not deem it necessary to enter into any explanation of what might, at first, appear extraordinary, viz. that should such a motion be brought forward by a person not interested by local connection, or personal habits with the parties, whose petitions, for a redress of grievances, were now before the house. The fact was, that every member of that house, who had a single right idea of the first principles of the con-

stitution, and, of course, of the first cause of the prosperity of the country, founded on that constitution, or who felt, as he trusted every member of that house did, an equal and common interest in the happiness and well-being of the two countries comprising the united kingdoms; that every member so judging, and actuated by such a principle, was perfectly competent and qualified to investigate the propositions he should now offer to the consideration of the house. Mr. Sheridan then adverted to the advanced state of the session, the uncommonly thin attendance which could be procured even upon subjects in which the minister himself was particularly interested; and declared his reasons for not entering into the general merits of the question at this time, observing, however, that it fortunately happened that the present question was of such a nature, as to admit of a perfect explanation in a single sentence. The evil complained of by as respectable a body of petitioners as ever had approached the bar of that house, was, that certain enormities and inveterate abuses had prevailed, and did prevail in the administration and government of the royal boroughs in Scotland; and that there existed no competent qualification to check and control these abuses, or to give redress to those who were injured by them. That certain self-elected magistrates and counsellors, assumed a power of levying money upon their fellow subjects, without authority from law; and of punishing those who withstood them, by a partial and corrupt exercise of an illegal discretion; that those magistrates and counsellors claimed a right to dissipate the public property of their fellow citizens, and to neglect the duties of their public station, without admitting themselves to be accountable or responsible, in any way, to those whose interests, security, and contentment, formed the only pretence for the existence of any power or superiority in those persons; a power and superiority necessarily forfeited the

moment those objects were not attended to. The existence of those evils was proved by the petitions, and the want of a remedy by the decisions of the courts of judicature in Scotland, it having been determined, both in the Court of Session, and in the Court of Exchequer, that as the law of Scotland stood, there was no remedy for evils and abuses which both courts admitted to exist and to be productive of the worst consequences to the general interests of the community. Surely then, Mr. Sheridan observed, if there ever was a justifiable ground of application to the legislature of any country, it is when those who are entrusted with the administration of the laws, acknowledge the prevalence of some great abuse, and at the same time admit that there exists no legal mode of obtaining a remedy for it. Mr. Sheridan next explained the nature of the remedy proposed, in the bill he wished to submit to their consideration. His object, for the present session, was only to give the members an opportunity of informing themselves; for which purpose, he should be content to have his bill, which he then held in his hand, read a first time and printed. Mr. Sheridan complimented the character, firmness, and moderation of the petitioners, and the abilities and exertions of the gentlemen they had employed to manage their business; concluding with a hope, that forgetting all national distinctions, and narrow prejudices, he should find, on the next discussion of the subject, a very general disposition to diffuse principles of civil liberty to that part of the united kingdom which had hitherto partaken in our glory and in our dangers, without sharing the equal blessing of civil liberty, to which England was so much indebted.

He then moved "That leave be given to bring in a bill for correcting the abuses and supplying the defects in the internal government of the royal burghs, and in the manner of accounting for the

property, annual revenues, and expenditure of the same."

Mr. Anstruther acknowledged that it was to him a matter of indifference whether the motion for admitting the bill the present session was, or was not agreed to; being convinced, that in the present session it could not pass; and that in the next he should have an opportunity of opposing it, if proposed. He observed, that his honorable friend (Mr. Sheridan) always brought the business forward at the close of the session, when it was impossible to be passed. His honorable friend had stated no specific grievances; he had confined himself to a general statement of grievances, to which he (Mr. Anstruther) entirely objected, being fully convinced that no such grievances existed. With whatever specious appearance his honorable friend brought in the present bill, it went effectually to a change in the election of representatives to serve in parliament. His honorable friend not having gone in detail to support his bill, he should not enter into detail in opposition to it; and the rather, as he did not believe his honorable friend really meant to carry into effect the bill he had moved for leave to bring in. With respect to the accounts of the revenues moved for, he fully agreed with the honorable baronet (Sir James Johnstone) opposite to him, that those accounts might be now demanded by the Lord Advocate of Scotland, who could insist upon the delivery of them, in the same manner as the Attorney-General in England might demand an account to be made out of the revenue of the corporations in England.

Mr. Sheridan answered, that at the close of the last session, no such motion as the present had been offered, but only the petitions had been presented. He had that day stated it to be his intention merely to move for the bill, that it might be in the possession of members during the recess; and having so stated his intention, he had conceived it wholly unnecessary to enter into the particular detail of the bill. To his honorable friend (Mr. Anstruther) who had mentioned his doubts of the existence of the grievances complained against; he should consider it sufficient to answer, that upwards of nine thousand respectable persons had declared to the house, such evils did exist. He concluded, by quoting the opinion of a judge in support of the declaration of the petitions, which was in substance, for want of a proper regulation in the

boroughs, trade was discouraged, religion neglected, and every thing to which the attention of the magistrates ought to be turned, wholly disregarded.

Mr. Pitt observed, that wishing to know the contents of the bill, he was as desirous as any gentleman could be to have the motion carried. If it went to a reform, it would be one reason to induce him to be partial to it; but to the latter part he objected, conceiving the house would be guilty of a violent action in charging the boroughs with abuses, and giving a countenance to an infringement of their charters, before such abuses were made to appear. By what he had stated, he meant to urge no obstruction to the bill, but merely to suggest to the honorable gentleman the propriety of adopting some other mode, by committee, or otherwise, that might be more consistent with the forms of the house.

Mr. Sheridan answered, that what had fallen from the right honorable gentleman (Mr. Pitt) was perfectly fair and candid. He believed that the right honorable gentleman's objection went only to a few words in the latter part of the motion, in which he saw no novelty or deviation from rule; but to gain the right honorable gentleman's acquiescence, he was willing to alter the motion as the right honorable gentleman had recommended.

Sir James Johnstone objecting to the motion, the house divided, ayes 54; noes 00; majority 54.

JUNE 25.

INTERLUDE REGULATION BILL.

The Speaker having stated to the house that the lords had made several amendments in the bill,

Mr. SHERIDAN trusted that he should be able, without trespassing too long upon the patience of the house, to induce them, in consequence of the few remarks which he must beg leave to make, to postpone the consideration of the amendments to the bill in the other house. The noble lords who proposed them seemed not to have been aware of what they were about when they suggested them,

or to have at all considered how far they could be connected with the other parts of the bill. It had gone out of their house, (as the Speaker well knew) a bill of general regulation; and it came back in such a state as, he believed, no bill had ever before been returned into that house. The noble personage, whoever he was, that had made the amendments, appeared to be possessed of something like a dramatic mind, and to have converted the bill into a perfect harlequinade, full of theatrical shifts and changes. The preamble of it stated, that "notwithstanding the wholesome regulations, provided by the acts in being, divers persons had exhibited, in certain houses and places licensed, operas, burlettas, pantomimes, musical dramas, and other theatrical and dramatic performances and entertainments, contrary to the true intent and meaning of the said acts, &c. &c." This preamble the noble amender of the bill had preserved, without the alteration of a syllable, although he had inserted in the subsequent pages of the bill, clauses to authorise still more houses to perform pantomimes, musical dramas, and other theatrical or dramatic entertainments. In short, in consequence of the amendments, the whole bill was not only rendered incongruous, inconsistent, and absurd; but as it stood, it went to affect private property to a very considerable amount, and to destroy security that had been established for more than a century, on the sanction of parliamentary faith, in a manner that he was persuaded that house would never consent to; because that house would never do so violent an act of injustice to individuals, as to injure their most essential interests, without affording them an opportunity of being heard by themselves or their counsel in their defence. Just as well might the house consent to a bill being brought in to abrogate and annul any other grant of the crown;—for instance, if from motives of private pique and personal resentment, a bill should be

introduced to take away a certain grant of one shilling duty upon each chaldron of coals brought into the port of London, which was appropriated to the use of a noble individual, every man of liberality would spurn at the uncandid suggestion, and refuse to do an act of such glaring injustice. He therefore had not a doubt but that the house would concur in his motion, "That the consideration of these amendments be postponed to this day three months."

The Speaker put the question, which was agreed to unanimously.

DECEMBER 12.

KING'S ILLNESS—REGENCY.

Towards the latter end of October the report of the impaired state of the King's health became a subject of the deepest interest to the nation. On the 24th of that month, His Majesty had a levee at St. James's for the purpose of quieting the alarm which the report of his indisposition had spread amongst his people; but upon his return to Windsor his disorder took a new and unfortunate turn; and before the end of the first week in November, it was generally known that it had settled into a constant delirium. The Prince of Wales repaired immediately to Windsor, where he was met by the Lord Chancellor; and they, in concert with the Queen, took such measures relative to the domestic affairs of the King, as the necessity of the case required. In the mean time, all those who by their rank and situation in the state were required to take a part in so new and unexpected an exigence, assembled in the capital; and an express was dispatched to Mr. Fox, at this time in Italy, to hasten his return. The parliament had been prorogued to the 20th of November; and as the intended commission for a further prorogation had not been issued by the King, its meeting took place upon that day, as a matter of course. The peers and the commons remained in their separate chambers; and the Chancellor in the upper, and Mr. Pitt in the lower house, having notified the cause of their assembling without the usual notice and summons, and stated the impropriety of their proceeding under such circumstances to the discussion of any public business whatsoever, both houses resolved unanimously to adjourn for fifteen days. At the same time Mr. Pitt took occasion to observe, that as it would be indispensably necessary in case His Majesty's illness should unhappily continue longer than the period of their adjournment, that the house should take into immediate consideration the means of supplying, so far as they were competent, the want of the

royal presence; it was incumbent upon them to insure a full attendance, in order to give every possible weight and solemnity to their proceedings. For this purpose it was ordered, that the house be called over on Thursday, the 4th of December next; and that the Speaker do send letters requiring the attendance of every member. Orders to the same effect were made by the lords.

For the purpose of laying some ground for the proceedings of the two houses of Parliament, a council was held at Whitehall, on the day preceding their meeting, to which all the Privy Counsellors were summoned. Of fifty-four who attended, twenty four were of the party of opposition. The physicians who had attended His Majesty during his illness were called before them and sworn; after which three questions, which had been previously debated and carried in the council, were put to them severally. The first was, "Whether His Majesty's indisposition rendered him capable of meeting his parliament, and of attending to any sort of public business." To this they answered, "That certainly he was incapable." The second was, "What is your opinion of the duration of His Majesty's malady, and of the probability of a cure?" To this they answered, "That there was a great probability of his recovery; but that it was impossible to limit the time." The third question was, "Do you give that opinion from the particular symptoms of His Majesty's disorder, or from your experience in complaints of a similar nature?" To this their general answer was, "That it was from experience; and having observed that the majority of those who were afflicted with the same disease had recovered."

On the 4th, the two houses being assembled, the President of the Council informed the peers, that the King, by the continuance of his indisposition, was rendered incapable of meeting his parliament, and that all the other functions of government were thereby suspended. He then declared it to be his opinion, that in this dismembered state of the legislature, the right devolved on the two houses of parliament to make such provision for supplying the defect as should be adequate to the necessity of the case; but that it was necessary, before any step could be taken in so delicate a business, that the deficiency should be fully ascertained; with this view he moved, that the minutes of the Privy Council should be read; which being done, the following Monday was appointed for taking it into consideration. A motion to the same effect being made by Mr. Pitt in the house of commons, Mr. Viner expressed his doubt, whether in a matter of such moment, and which would be attended with such important consequences, the house could proceed upon a report from the Privy Council without a further examination of the physicians, either at their bar, or by a committee of their own. Mr. Pitt urged, in reply, the delicacy of the subject to be discussed; and remarked further, that the examination before the council was taken upon oath, which the house had it not in their power to administer. Mr. Fox concurred in opinion with Mr. Viner; he felt the propriety of acting with all possible delicacy, but if delicacy and their duty should happen to clash, the latter ought not to be sacrificed to the former. A doubt was also

stated by the Speaker, whether, in the present defective state of parliament he was competent to issue writs for new elections. This was determined in the affirmative, and the house immediately rose. On Monday the 8th, Mr. Pitt, either convinced upon further consideration of the propriety of Mr. Viner's suggestion, or expecting that the probability of His Majesty's recovery would become more apparent upon a fuller inquiry into the case, came forward to propose, that a committee of twenty-one members should be appointed to examine all the physicians who had attended the King during his illness. A like committee was appointed the same day in the house of lords, and the members in both were chosen nearly in equal numbers from each side of the house. The report of the committee being brought up on the 10th, and ordered to be printed, Mr. Pitt moved, "that a committee be appointed to examine the journals of the house, and report precedents of such proceedings as may have been had in cases of the personal exercise of the royal authority being prevented or interrupted by infancy, sickness, infirmity, or otherwise, with a view to provide for the same." This motion was carried after a short debate, and a committee of twenty-one, of whom nine were members of opposition, appointed to sit with the usual powers. On the 12th Mr. Wilbore Ellis appeared at the bar with this report. Mr. Pitt moved, "that it do lie upon the table;" which having been agreed to, it was next moved, "that the report be printed." Mr. Pitt afterwards moved, "that the house will on Tuesday next resolve itself into a committee, to take into consideration the state of the nation. The question having been put from the chair,

Mr. SHERIDAN observed, that he rose merely to prevent any false conclusion being drawn from his silence that he concurred in the propriety or expediency of putting the abstract proposition in the right of the Prince of Wales. He for one, felt it his duty to contend against the discussion of any such proposition, declaring that it was neither likely to maintain and secure the promotion of the good or of the peace of the public. It could not conciliate, but on the contrary, it might create dissensions and animosities; and therefore he insisted that it would be extremely unwise, as it was obviously unnecessary, to agitate it or press the house to come to any vote upon it. He begged leave to remind the right honorable gentleman of the danger of provoking that claim to be asserted (*a loud cry of Hear! Hear!*) which he observed had not yet been preferred. (*Another cry of Hear! Hear!*) He repeated his words, and asked, would the right honorable gentle-

man chuse to have his own proposition put upon the Journals, to have it recorded as his opinion, that the Prince of Wales had no more right to exercise the royal authority during the incapacity of the King, than any other individual subject? If he would not, why would he press an abstract proposition that must throw the nation into anarchy and confusion? Mr. Sheridan observed that he felt such absolute conviction, that he was sure no man, who was not actuated by a spirit of dissention, would propose it.

Mr. Pitt having, in reply, stated "that he trusted the house would do their duty in spite of any threat, however high the authority from which it might proceed,"

Mr. Sheridan denied that he had used any threat as imputed to him by Mr. Pitt; and remarked, that he had only spoken of the danger that might arise, if the Prince should be provoked to prefer a claim, which he certainly had not yet preferred, and the discussion of which he must continue to think as mischievous in its tendency, as it was undoubtedly unnecessary.

The question was then put and agreed to.

DECEMBER 22.

REGENCY.

As it was evident, from the complexion of both houses of parliament, that the majority was adverse to the claim of the Prince of Wales, as of right to the regency, it was thought most advisable by those who held the affirmative, to avoid, if possible, its being brought to a formal decision; but notwithstanding entreaties were made to this effect by the Dukes of York and Gloucester, ministers persevered in their intention, and accordingly on the 16th of December Mr. Pitt moved the three following resolutions:—

1. *"That it is the opinion of this committee, that His Majesty is prevented, by his present indisposition, from coming to his parliament, and from attending to public business, and that the personal exercise of the royal authority is thereby, for the present, interrupted.*
2. *"That it is the opinion of this committee, that it is the right and duty of the lords spiritual and temporal and commons of Great*

Britain, now assembled, and lawfully, fully, and freely representing all the estates of the people of this realm, to provide the means of supplying the defect of the personal exercise of the royal authority, arising from His Majesty's said indisposition, in such manner as the exigency of the case may appear to require.

Resolved, "That for this purpose, and for maintaining entire the constitutional authority of the King, it is necessary that the said lords spiritual and temporal and commons of Great Britain should determine on the means whereby the royal assent may be given in parliament to such bill as may be passed by the two houses of parliament, respecting the exercise of the powers and authorities of the crown, in the name and on the behalf of the King, during the continuance of His Majesty's indisposition."

After a long debate these resolutions were put and carried. On the 18th the house adjourned, on account of the illness of Mr. Fox, to the day following; when Mr. Pitt being called upon to inform the house more distinctly of the mode of proceeding he intended to adopt, stated, that as, in contemplation of law, His Majesty's political capacity was entire, he should propose that their proceedings should be under the royal authority, delegated by a commission under the great seal. That commissioners so appointed should open the parliament in the name of His Majesty, in the usual form, and afterwards give the royal assent to such bill as might be passed by the two houses for appointing a regent to exercise so much of the royal authority as was necessary to be exercised during His Majesty's indisposition. This he conceived to be the only mode of proceeding that could be adopted consistently with the principles of the constitution. The question was put, "that the report of the committee on the state of the nation be brought up," and after a debate carried. The first resolution was read and agreed to. Mr. Dempster moved an amendment to the second, which was to leave out the word "right," and also the words "in such manner as the exigency of the case may appear to require," and insert "by presenting an address to the Prince of Wales, heir-apparent, and of full age, humbly beseeching him to take upon himself the administration of the civil and military government of the country during the incapacity of His Majesty, and no longer."—The question was put and carried, "that the word "right" stand part of the resolution." The question was next put, "that the words "in such manner as the exigency of the case may appear to require" stand part of the resolution." This occasioned a debate, and Mr. Dempster withdrew his amendment from the second resolution, which was carried as it stood originally. He then moved to leave out all the third resolution, from the word "determine," and insert his amendment. After some conversation the debate was adjourned to Monday the 22d. Upon the latter day,

Mr. SHERIDAN declared, that he thought he understood, and could remove the doubts that had been stated by some gentlemen respecting the effect of the address proposed by the amendment. It

was conceived by some, that by voting for the amendment, they decided on the question of a limited or unlimited Regency ; but the case was not so, for if they voted in favor of the original resolution, they virtually admitted, that limitations were necessary. Whichever way they proceeded, however, the opportunity and the security of making limitations were precisely the same. Mr. Pitt had said, that the long disuse of the royal negative was no security that it would not be revived. The right honorable gentleman knew, from his own experience, that the powers of the prerogative might be abused, and therefore it became him to be on his guard. If you doubt the fact, he might say, look at my conduct. Recollect under what circumstances I dissolved a parliament;—how lavish I have been of the honors of the peerage, and say, that the powers of the prerogative may not be abused if you can. The right honorable gentleman observes, that the Prince may dissolve the parliament without consenting to limitations. The first act of his Regency ought to be, to consent to limitations ; and was there a man who believed he would not ? But in imposing restrictions, some delicacy was requisite, for every restriction that was not necessary, was not a limitation, but an insult. Was the right honorable gentleman in such haste to impose restrictions, because he feared that he could not carry the limitations which he meant to propose, unless he were a minister ? Or was he apprehensive that parliament or the Prince would forget to do their duty ? From some such fear, or unworthy suspicion, his haste must proceed. What provision was made if the Prince should refuse to be Regent, on the right honorable gentleman's terms ? Supposing him not to refuse, would he withhold his consent from restrictions when Regent, under which he would consent to accept the trust ? Would any one advise him to say, I accept the Regency under the limitations you propose, which I think are improper, and which I hope parliament will annul ?

The question being called for, the house divided, when there appeared—for the amendment 178; against it 251; majority 73. The original resolution was then put and agreed to, and the house adjourned.

JANUARY 6, 1789.

REGENCY RESTRICTIONS.

Mr. Pitt having given notice, that he should this day propose to the house the restrictions, within which the exercise of the regal power should be granted to the Regent, Mr. Loveden rose as soon as the order of the day was moved, and observed, that before the house proceeded to settle the terms of the regency, he conceived that they ought to know exactly where they were, and what the exigency of the case really was, the providing for which had been the object of their deliberations. No limitations of any kind could be suitably adopted, without having a reference to the cause which created the necessity for their introduction; and therefore, before they went a step further, in his humble judgment they ought to know precisely what was the present state of His Majesty's health, what the degree of alteration it had undergone since His Majesty's physicians were last examined, and whether the probability of his recovery was increased, or less than it had been, at that period. This was the more necessary as reports had gone abroad of a very contradictory kind, and the authority of the different physicians who attended His Majesty had been made use of to give sanction to those reports. He therefore moved, "That the physicians who have attended His Majesty should be again examined, to inform the house whether any alteration or amendment had taken place in the state of the King's health; and if the present symptoms were such as to give reason to hope for His Majesty's speedy recovery." This motion gave rise to a warm debate, which was managed not with the most perfect temper and moderation on either side of the house. An entire change in the ministerial offices of government was considered as one of the immediate consequences of the appointment of the Prince of Wales to the regency. And as the restrictions which Mr. Pitt had declared his intention of moving could not fail to weaken and embarrass, in a considerable degree, the new administration, and as the propriety of these restrictions was contended for upon a presumption of the speedy recovery of the King, the contending parties caught with great eagerness at some little difference of opinion relative to that point, which prevailed amongst the medical gentlemen who attended him. In the course of the debate on Mr. Loveden's motion, Mr. Pitt treated the opinion of Dr. Warren, who was less sanguine in his expectations of an immediate recovery than others, as if it had been dictated by a partiality to the rising administration; and he insinuated, that from the warmth with which that opinion was taken up and defended on the other side, it looked as if those gentlemen spoke from their wishes. These insi-

nuations were repelled, as being both scandalously unjust and basely illiberal ; and, in return, Dr. Willis, who was extremely confident in his expectations, and consequently the favorite on the other side, was represented as a tool employed to serve the designs of Mr. Pitt's faction. After much altercation on this subject, it was agreed that a new committee should be appointed, and that the physicians should be re-examined. In the course of the preceding debate, Mr. Pulteney mentioned his determination to divide the house, declaring that it was not likely that all His Majesty's physicians should decide alike ; and therefore, as he considered the proposed inquiry to be nothing more than a design to delay, he would take the sense of the house on the question of the order of the day.

Mr. SHERIDAN begged leave to call to the recollection of the right honorable gentleman, that he was bound by his own words to submit to the proposed enquiry, since he had declared, that if any member asserted that there was a greater probability of the recovery of His Majesty sooner than there had been when the physicians were last examined, the house ought to proceed to another examination. Now, the right honorable gentleman stood exactly in that situation himself, having declared, that he had, from what he knew, reason to believe that His Majesty's speedy recovery was more probable than it had been ; and he had also declared that his opinion had been extorted from him. Mr. Sheridan contended, that it was material that the physicians' characters should be deemed sacred ; employed as they were about His Majesty, and not in any ordinary case ; and therefore, the public had an interest in their characters.

JANUARY 16.

REGENCY RESTRICTIONS.

The committee sat till the 13th, when the report was brought up, and a motion made by Mr. Burke, and seconded by Mr. Windham, that it should be re-committed, on account of their not having examined into the grounds of the different opinions held by the physicians respecting the probability of the King's recovery. This motion was negatived without a division ; the report was ordered to be printed, and to be taken into consideration in a committee of the

whole house, on the state of the nation, upon the 16th. On that day Mr. Pitt moved the five following resolutions:—

“ Resolved, That for the purpose of providing for the exercise of the royal authority, during the continuance of His Majesty's illness, in such manner and to such extent as the present circumstances and the urgent concerns of the nation appear to require, it is expedient that His Royal Highness the Prince of Wales, being resident within the realm, shall be empowered to exercise and administer the royal authority, according to the laws and constitution of Great Britain, in the name and on the behalf of His Majesty, and under the stile and title of Regent of the kingdom; and to use, execute and perform, in the name, and on the behalf of His Majesty, all authorities, prerogatives, acts of government, and administration of the same, which belong to the King of this realm to use, execute, and perform, according to the laws thereof, subject to such limitations and exceptions as shall be provided.

“ Resolved, That the power so to be given to his Royal Highness the Prince of Wales, shall not extend to the granting of any rank or dignity of the peerage of the realm, to any person whatever, except to His Majesty's royal issue, who shall have attained the full age of twenty-one years.

“ Resolved, That the said powers should not extend to the granting of any office whatever in reversion, or to the granting of any office, salary, or pension, for any other term than during His Majesty's pleasure, except such offices as are by law required to be granted for life, or during good behaviour.

“ Resolved, that the said powers should not extend to the granting of any part of His Majesty's real or personal estate, except so far as relates to the renewal of leases.

“ Resolved, That the care of His Majesty's royal person, during the continuance of His Majesty's illness, should be committed to the Queen's Most Excellent Majesty; and that Her Majesty should have power to remove from, and to nominate and appoint such persons, as she shall think proper, to the several offices in His Majesty's household, and to dispose, order, and manage all other matters and things relating to the care of His Majesty's royal person during the time aforesaid: and that for the better enabling Her Majesty to discharge this important trust, it is also expedient that a council should be appointed to advise and assist Her Majesty in the several matters aforesaid, and with power from time to time, as they may see cause, to examine upon oath the physicians and others attending His Majesty's person, touching the state of His Majesty's health, and all matters relative thereto.”

These resolutions were strongly opposed both in the committee and on the report. The first having been read, Mr. Powys moved, as an amendment, to leave out from the word “illness,” in order to insert—

“ And preserving the constitution of Great Britain undisturbed, and the dignity and lustre of the crown unimpaired, his Royal Highness the Prince of Wales be appointed, during the present indisposition of His Majesty, and no longer, in the name of the King, and in his

stead, to exercise and administer, according to the laws and constitution of Great Britain, the regal power and government, under the style and title of regent of the kingdom ; and to use, execute, and perform all prerogatives, authorities, and acts of government, which might have been lawfully used, executed, and performed, by the regent and council of regency, constituted and appointed by an act of the 5th of His present Majesty, cap. 27."

Lord Belgrave observed, that when the just and lawful prerogatives of the crown were in danger, his right honorable friend (Mr. Pitt) had manfully stood forth to defend them ; and on the recent occasion of the personal exercise of the royal authority being suspended, when the liberties of the people were threatened by a declaration of a right in the heir apparent to assume the exercise of the royal authority (a right which they had resolved could exist constitutionally only in the person to whom that, and the other house of parliament should delegate it), his right honorable friend had with equal spirit denied the existence of the right asserted to exist in the heir apparent ; and after putting the assertion and denial at issue, had obtained a parliamentary declaration in favour of the people. After a quotation from the orations of Demosthenes, Lord Belgrave declared that he should vote for the resolutions.

Mr. SHERIDAN remarked, that not designing to copy the example of the noble lord (Belgrave), he should neither congratulate the majority, nor condole with the minority, on any former vote of that house, which the noble lord had extolled as an act of spirit. If the assertion was true, and the fact was, that the vote to which the house had last come had been an act of spirit, he hoped that they would now proceed to an act of justice. He declared, that he meant not, like the noble lord, to treat the house with a quotation, whether taken from any Greek, Roman, or English writer ; neither did he design to shew his partiality to his friends, by any elaborate encomium on their merits. The noble lord, however, had misapplied the line which he had quoted from Demosthenes, who had meant to reproach the Athenians, for wasting that time, which they should have spent in effectually opposing their enemy, in fruitless inquiries and examinations of physicians, from the wish of learning an unfavourable opinion of his health. He hoped that this was not a very applicable case on the present occasion, and that the inquiries had not been carried on

with that view. He would not, he said, go much at large into the report then upon the table, though he could not pass by the representations which the right honourable gentleman had made of the answers and opinions of the physicians. The right honorable gentleman had contended, that the physicians all agreed that His Majesty's cure was probable; that he was better; and that there were more or less signs of his recovery. That he positively denied; the right honorable gentleman had not quoted the report, and he would not do it; but he asserted that the physicians did not all of them state that there were signs of His Majesty's recovery. Dr. Willis, indeed, did state it, and there was something of the same sort advanced by Sir Lucas Pepys; but the other physicians affirmed the express contrary to be their opinion. Mr. Sheridan took notice of the manner in which Mr. Pitt had spoken of Dr. Warren; and charged him with having indirectly endeavoured to attack Dr. Warren's character;—the noble lord, who spoke last, had also, he said, followed the right honorable gentleman's example, and in a way peculiarly injurious, ventured upon insinuations, to the prejudice of Dr. Warren. On occasions like the present, Mr. Sheridan added, it was ridiculous to stand upon idle ceremonies, and trifling etiquettes; he would speak out, and say, that if there was a witness who appeared to give prevaricating and evasive answers, that witness was Dr. Willis. In order to see whether he was right or wrong in this assertion, let gentlemen look fairly to the reports, and then decide. The right honorable gentleman, when talking of the endeavours to puzzle and mislead Dr. Willis, and perplex the simplicity and plainness of his nature, had looked towards him as if he meant to allude to his cross examination of that physician, in the committee above stairs. He knew not that it was either parliamentary or proper to make, what passed in select committees above stairs, the subject of al-

lusion in that house ;—but, if the minutes of the committee were before the house, they would see that he had cross-examined Dr. Willis, with a view to put his credibility to the test, in consequence of a learned friend of the right honorable gentleman, then in his place, having cross examined Dr. Warren, expressly, as he had himself declared, for the purpose of impeaching Dr. Warren's credibility ; advertng to what he mentioned, as the different answers given by Dr. Willis at different times, he charged them with various contradictions. When he heard Dr. Willis at one time asserting, that the accounts sent to St. James's did not convey a true state of His Majesty's health, but were considered by him as prescriptions for the public to swallow ; and when, at another, he heard him admit them to be statements of facts ; and found, from the examination of the other physicians, that no such conversation had passed, as Dr. Willis had stated to have passed, was he not necessarily staggered, and inclined to think Dr. Willis a loose and random speaker ? When he heard Dr. Willis attribute His Majesty's illness to seven-and-twenty years of extreme study, abstinence, and labour, and declare that His Majesty was recovering, assigning as a reason, that the physic which he had that day given him, had produced the desired effect ;—what must he think of Dr. Willis, when he heard him assert, that his physic could in one day overcome the effects of seven-and-twenty years hard exercise, seven-and-twenty years study, and seven-and-twenty years abstinence. It was impossible for him to maintain that gravity which the subject demanded ; such assertions reminded him of those nostrums, which were to cure this and that malady ; and, also, disappointments in love, and long sea voyages. He did not (Mr. Sheridan said) impute Dr. Willis's answers to any intention to deceive ; but when he heard him roundly declare what every other of His Majesty's physicians pronounced it impos-

sible to speak to, he must assert, that Dr. Willis was a very hasty decider, and a random speaker. Mr. Sheridan now observed, he must beg leave to investigate the other parts of the right honorable gentleman's speech, and declared he did not wonder that in speaking of one person, whom the right honorable gentleman had thought fit to introduce, he chose to appeal to the feelings, rather than to the judgment of the house. The manner in which the right honorable gentleman had mentioned her Majesty, appeared to him to be with a design to challenge and provoke a discussion of the conduct of the Queen; he trusted, that whatever had been the right honorable gentleman's motive, it would prove totally unsuccessful. The dutiful conduct, and domestic virtues of that royal person, never had been called in question; and, therefore, he hoped they should avoid the discussion, as a matter equally unnecessary and indecent; and when the right honorable gentleman talked of delicacy on the subject, he wished him to reflect on his own conduct in the committee. Those who would give responsibility to the Queen—those who would take her out of that private and domestic station, in which she had conducted herself so amiably and irreproachably—were the persons who manifested a want of delicacy, and a want of attention to the character and comfort of the royal personage in question. With regard to the feeble preference to the Prince's claim, which the right honorable gentleman had admitted; it appeared from the right honorable gentleman's conduct, as if his concurrence in it was extorted from him by the opinion of the public. The plain question was, what were the motives which induced the right honorable gentleman to refuse the full powers of the crown to the person, who was to act as its representative?—What, but an intention to tie up the hands of ministers, at a time when they would stand most in need of unrestrained authority. It would

not, he believed, be denied, that a government by a regent must necessarily prove more weak than a government carried on by the crown itself; and consequently it required every possible degree of additional aid and assistance. But, by the line proposed, it was signified to all foreign powers, that they were divided among themselves, and there did not prevail that harmony of heart, and unanimity, so necessary to exist at that crisis. The right honorable gentleman had resorted to precedents in support of his arguments of that day; but the whole line of precedents which he meant to follow, made directly against the inference which it was his design to draw from it. By the mode which the right honorable gentleman had adopted, the balance of the crown was destroyed; and as far as the balance of the constitution was concerned, that was destroyed also. Did the regency bills referred to by the right honorable gentleman, proceed upon the supposition that the minor could never be of age? Most certainly they did not; nor were the powers of the prerogative with-holden. They were all given, not into the hands of one person indeed, but into the hands of many. Mr. Sheridan stated, at that time (in the reign of George the Second) the Prince of Wales was thirteen; and he was, by the regency bill, declared to be of full age at eighteen; and the King was then alive, and in good health. He reasoned upon those facts, to shew the utmost time the prince could, in that case, have been a minor, was five years; and the probability was, that he would have remained so, when he came to the crown, more than two or three years. Towards the latter end of the right honorable gentleman's speech, the true motive of the right honorable gentleman's conduct had manifested itself; he had on a former day adverted to it, but not upon that day, except in the part of his speech to which he then alluded; and that was his belief, that the Regent would change the administration, and that the

government would fall into the hands of those, whom the right honorable gentleman had dared to assert, had been in confederacy of a conspiracy to overturn the constitution. That was the real spring of all the right honorable gentleman's measures, respecting the regency. Had intentions been entertained of keeping the present ministers, the limitations, he verily believed, would never have been heard of. The whole of the right honorable gentleman's conduct, was confessedly governed by party considerations, and by the impulse of his own personal ambition. The right honorable gentleman talked of the evil advisers whom the Regent might possibly have about him:—but, was there, in fact, any real cause to dread such a circumstance? If that was the case, might he not ask, with the honorable gentleman near him, (Mr. Powys) was there not vigor enough left in that house to crush any attempts of abuse of authority, to call bad ministers to a severe account, and to address the Regent to remove them from his councils? The right honorable gentleman had more than once, wantonly attacked that side of the house, as containing a political party. As for himself, (Mr. Sheridan added) he made no scruple to declare, he thought it the glory and honor of his life to belong to that party. He who knew the character of that party, knew it was an honor which any man might covet. Was it a disgrace to have been formed under the Marquis of Rockingham; and under his banners to have combated on behalf of the people with success?—Was it a disgrace to be connected with the Duke of Portland, a nobleman who, swayed by no mean motives of interest, nor influenced by any ambitious designs to grasp at power, nor with a view to any other purpose than the welfare of the country, dedicated his mornings unremittingly to the promotion of the public good? Mr. Sheridan remarked, he could not advert to his right honorable friend (Mr. Fox) without declaring it was

the characteristic distinction of his heart to compel the most submissive devotion of mind and affection from all those who came under the observation of it; and force them by the most powerful and amiable of all influence, to become the inseparable associates of his fortune. With respect to his talents, he would not speak of them; they would derive no support from any man's attestation, nor the most flattering panegyric of the most enlightened of his friends. Thus much he would only observe, with regard to the abilities of his honorable friend, that it was the utmost effort of any other man's talents, and the best proof of their existence, that he was able to understand the extent, and comprehend the superiority, of them. It was the pride and glory of his life, to enjoy the happiness and honor of his friendship; and he desired to be told, whether the Duke of Portland and Mr. Fox, were less worthy of the confidence of their country, or more unfit to become ministers, because an arrogant individual chose presumptuously to load them with calumny. Were he an independent man, standing aloof from party, and wholly unconnected with it, he could not, with patience, hear the right honorable gentleman's insulting language; but as a party man, boasting himself to be one, how did the right honorable gentleman imagine he should receive his reflections, but with that scorn and disdain which became a man conscious of the worth and value of those with whom he was connected? He must beg leave to remind the right honorable gentleman, that after this confederacy, which he had so grossly calumniated, had, among other of their iniquitous proceedings, passed their India bill, and after they had formed their coalition, that right honorable gentleman was ready enough to have joined their confederacy; and a treaty, as the house well knew, had been then set on foot, but the negociation was not then concluded. He declared, he did not believe that the right honor-

able gentleman was in earnest; he would not injure him so much as to believe him to be in earnest, when he talked of the damages to be dreaded from the evil advisers of the Regent, as to the abuse of the exercise of the powers of creating peers. Mr. Sheridan commented on Mr. Pitt's argument, on the subject of creating peers, and declared that he had never before heard that the commerce of the country had swelled to such a pitch, that therefore it became necessary to add to the number of the peerage; and that another reason was the prevention of a faction in the house of lords, against the crown. The right honorable gentleman had made no less than forty-eight peers, during the five years of his administration; and yet he had never heard of any faction having been likely to take place in that branch of the legislature. Mr. Sheridan next remarked, that he could not listen in silence to the expressed desire of the right honorable gentleman to have considered as a test of his future conduct, and not as a profession, his declaration that he would not oppose the measures of his successors in office. Upon this occasion, he trusted that the house would not lose sight of the manner in which that test had been worded, namely, that the right honorable gentleman would not oppose any just or good measures of the new ministry, which measures were hereafter to be discussed. The declaration called to his mind a similar one of the right honorable gentleman on a former occasion, to which the right honorable gentleman had not adhered. He declared, that he believed the right honorable gentleman was sincere in his intention, though he had not, what Dr. Willis had affirmed he possessed, the gift of seeing the hearts by looking at men's countenances. He remembered that the doctor at first told the committee, "that he could thus see the heart of any man, whether he was sick or not;"—a declaration which had appeared particularly to have alarmed the right honor-

able gentleman ; yet, putting all this out of the question, it was not parliamentary, to trust to any gentleman's professions, especially, where the grounds of faithfully adhering to those professions, were expressly left hereafter to be disputed. He reprobated the idea of reserving the patronage of the royal household, and adverted to the right honorable gentleman's having charged his right honorable friend (when on a former occasion he quitted office) with having left a fortress behind him. The charge was true ; he admitted that his right honorable friend had done so ; but then like a coarse, clumsy workman, he had built his plan in open day, and retired with his friends, who served without pay, though their services had been long continued. Not so the right honorable gentleman over the way ; like a more crafty mason, he had collected his materials with greater caution, and worked them up with abundantly more art. Perhaps, he had taken the advice of the noble duke, famous for fortification, and with the aid of that able engineer, had provided a corps of royal military artificers, and thrown up impregnable ramparts to secure himself and his garrison. Upon this occasion, the King's arms, doubtless might be seen flying as a banner on the top of his fortress, and powerful, indeed, must prove the effect of the right honorable gentleman's thundering eloquence from without, and the support of the royal artificers from within, against his political adversaries. Mr. Sheridan reprobated the person, whoever it might be, that advised Her Majesty to lend her name to such a proposition as that which was then made to the committee ; and declared that were the one ground of suspicion of the bad advisers of the Regent to be taken away, the right honorable gentleman could not be said to have produced a single argument in support of his system. He described the power that the Ex-minister would derive from retaining the patronage of the King's household ; and contended, that the pretext, that His

Majesty's feelings would be shocked, when he recovered and found his household changed, was ridiculous. The bad advisers of the Regent were to be allowed the power of making war, peace, treaties, and the exercise of various other important authorities. To talk, therefore, of His Majesty's feelings, when he should recover and find his household changed, was to suppose that he would be less shocked to learn, that the constitution of his country was changed, part of his dominions ceded to foreign potentates, and other essential and important calamities and disgraces entailed on his country, which was like a man, who having been entrusted with the mansion house of a person, during his incapacity, to take care of it, should suffer it to go to ruin, and the winds of heaven to blow through almost every part of it, the enclosures to be broken down, the flocks of sheep to be shorn, and exposed to the storms, and all left to ruin and decay, except a few looking-glasses, and old worthless gilt lumber, that were locked up in an old fashioned drawing room. Mr. Sheridan represented the Ex-minister coming down to the house in state, with the cap of liberty on the end of a white staff, a retinue of black and white sticks attending him, and an army of beef-eaters (whom the Master of the Horse, the Lord Steward, and Lord Chamberlain, were to be employed in marshalling) to clear his way through the lobby. He said, that he lately heard much of the political capacity of a King, but had never heard that the political capacity of a Lord of the Bedchamber was so inseparably connected with his body natural, that if the former were extinct, the latter could not without difficulty be found, when His Majesty should recover, and call back his household officers. He observed, that ministers were desirous of making it a condition with the Regent, that they were to have no claim upon him, provided the red book remained as it stood at present ; let the Court Kalendar continue unaltered, and the Prince of Wales might be

Regent. Mr. Sheridan again adverted to what he stiled the minister's pretended regard for His Majesty's feelings, and asked the right honorable gentleman whether he thought His Majesty would not be hurt, when, upon his returning reason, he should know in what manner his sons, the Heir Apparent and the Duke of York, as well as the other Royal Dukes, had been treated by ministers, during his illness, especially after the gracious declarations which they had all heard of in another place. He observed, that the right honorable gentleman had admitted the restrictions to be evils, and had discussed them chiefly on the grounds of expediency; he combated them on that ground, and declared, that he fully admitted the doctrine of the lawyers, that the political capacity of the monarch was whole and entire, but that he must contend they were acting in direct opposition to that principle, and to what had originally made it a principle in our constitution. He said that he had no occasion to reason upon the question, it was enough to state his arguments; they were so evident, that they needed only to be heard to be admitted as if they had been proved. After a great variety of sarcasms, and shrewd observations, Mr. Sheridan concluded with declaring, that when it should be known by the public, that the motive for such restrictions was no other than because the Prince was going to take into his service a different set of men from those now in office, they would despise and detest the cunning and the craft from whence so wretched a proceeding had originated.

At length the committee divided on Mr. Powys's amendment on the first resolution; ayes 154; noes 227. The original resolution was then put and carried without a division. A division next took place on the second resolution relative to the creation of peers; ayes 216; noes 159. All the other resolutions, excepting that respecting the King's household, were then severally put and carried. The house adjourned.

JANUARY 19.

REGENCY RESTRICTIONS.

On this day Mr. Pitt moved his fifth resolution, committing the care of His Majesty's person to the Queen; and granting to her the power of removing from, and appointing all the offices of the household.

Mr. SHERIDAN observed, that it was not an agreeable task to enter on the degree of comparative abilities, with which the resolution had been debated; and the more so, when the person who undertook to comment on the matter, had himself been principally concerned in the debate. The right honorable gentleman's explanation required an explanation. The right honorable gentleman (Mr. Pitt) had given his right honorable friend (Mr. Fox) no answer whatever as to the time when the restrictions would be taken off the regency, in case his expectations of His Majesty's recovery should prove to have been unwarranted, as he verily believed they would turn out. And there was another matter of no small importance, respecting which the right honorable gentleman had not said one word, and that was the council to be provided for the Queen, as guardian and trustee of His Majesty's royal person. The right honorable gentleman, on his first opening of his plan, on a former day, had omitted to state even that there was to be a council, till the resolution came to be read; and then the right honorable gentleman had started up, and put in his council, like the postscript to a letter, or a matter of trifling consequence, taking care to tell them no more than it was to be a council of advice, not a council of controul. But the nature and constitution of the council ought to be explained; and the committee ought to be told of whom it was to consist before they were called upon to vote it.

During the course of the debate Mr. Bouverie had remarked, that the resolution consisted of three distinct propositions:—the

care of His Majesty's person ; the power to remove or continue the household officers ; and the appointment of a council. It was therefore proposed that they should be put separately ; but Mr. Pitt not consenting to this, Mr. Bouverie moved, that the second clause of the resolution should be left out. The committee divided on this motion, when there appeared, ayes 165 ; noes 229. Lord North then moved, that the words "for a limited time" be added ; upon which the committee again divided ; ayes 164 ; noes 220. The house was then resumed ; the several resolutions reported and agreed to ; and ordered to be delivered at a conference to the lords.

JANUARY 26.

REGENCY RESTRICTIONS.

Mr. Pitt informed the house, that the next step which he should propose, would be to lay the resolutions, voted by the two houses, before the Prince of Wales, in order to know whether his Royal Highness was willing to accept the regency upon those conditions ; and, therefore, he gave notice that he should make a motion for an humble address for that purpose on the morrow.

Mr. SHERIDAN remarked, that what the right honorable gentleman (Mr. Pitt) had advanced in general terms of the intended motion for an address to the Prince of Wales, might do for those who would wish to give implicit confidence to every thing that fell from the right honorable gentleman ; but there were other descriptions of men who might reasonably expect a more satisfactory answer. As the restrictions stood, the right honorable gentleman would be pleased to recollect, there was nothing in them which intimated that they were calculated to continue for a limited time only. Upon the face of the resolutions, they appeared designed to be permanent ; and, therefore, he submitted it to the right honorable gentleman, whether it was not absolutely necessary, by some means or other, to signify to his Royal Highness the Prince of Wales, that they were meant to continue in force only for a limited time. Perhaps, the right honorable gentleman designed to do this, in the address ; but certainly it was material, that it should be done one

way or the other. He understood, that there was to be a commission passed to open the parliament as soon as the Prince's answer to the address was received; and it was said, that his Royal Highness was to be one of the commissioners. He hoped, therefore, that the right honorable gentleman would inform the house how the commission was to be constituted? Mr. Sheridan pressed the necessity of signifying that the restrictions were to be only for a limited time; since, as the resolutions stood, they certainly warranted the idea of an intention to make them permanent.

Mr. Pitt replied, that when the resolution had been carried to the Prince of Wales, and the answer of his Royal Highness obtained, it would then be time enough to discuss the propriety of the commission to be passed for opening the parliament.

Mr. Sheridan desired to know if there was not some danger in adopting that mode of proceeding. He described the awkward situation in which it would place the Prince, by stating, that if the address was presented with the resolutions, and the answer should prove, that his Royal Highness was willing to accept the regency on those conditions, whether, when the commission was issued, and the Prince might not choose to have any thing to do with it, he would not be precluded from refusing; and be considered by his answer to have pledged himself to consent to all the subsequent proceedings relative to the appointment of the regency?

Mr. Pitt replied, that his first object would be to carry up the resolutions, and the other matters, such as the ordering a commission to be issued in the King's name for the opening of the parliament; and various necessary points, would come under discussion hereafter.

JANUARY 27.

REGENCY RESTRICTIONS.

Mr. Pitt moved, "That a committee be appointed to communicate to his Royal Highness the Prince of Wales, the resolutions which the house of lords and commons have agreed to, for providing the

means of supplying the defect in the personal exercise of the royal authority, under such regulations as the present circumstances may seem to require; and that the committee be directed to inform his Royal Highness, that the commons express their hopes, that his Royal Highness will accept the said charge, as soon as an act of parliament can be passed for carrying into effect the said purpose."

In the course of the debate an irregular conversation took place on the subject of addresses, which had been obtained in different parts of the country, approving of the conduct of the ministry; and several members were called to order.

Mr. SHERIDAN, having premised that he did not mean in the least to advert to that part of the debate which respected the question of order, nor to go at large into any argument to prove that there was an evident want of system, though upon this ground, he must agree with his honorable friend near him; and likewise in his assertion, that the measure then proposed would cause delay. He added, that there were two things which, he owned, would incline him to agree to the address; and that one of these was, that it had been understood the idea, so hastily suggested on a preceding evening, of limiting the duration of the regency was abandoned; and the reducing the form of the constitution to a republic, by making the election of a supreme governor annual, would no longer be insisted upon. He declared, that when this idea was first started, the right honorable gentleman seemed to be ready to embrace it; he could not, therefore, but wonder at the sort of acquiescence manifested by the house to a proposition of so monstrous a nature, pregnant with such extensive mischiefs, and tending in the first instance to change the form of the constitution. Mr. Sheridan reverted to what he had mentioned the day before; and again remarked that the resolutions, upon the face of them, appeared to be final and permanent; since they contained nothing which pointed out that they were calculated merely to subsist for a limited time, and to answer an emergency of only a temporary nature; although upon that single ground, urged

again and again by the right honorable gentleman himself, and other gentlemen, in debate, had the house been called upon to vote the resolutions. He enforced the necessity of accompanying the resolutions, when laid before His Royal Highness, with some intimation of this very material circumstance; and, before he sat down, declared, that he would move an amendment to the motion, in order to add words to that effect. Another point was, that the scheme of setting up what had been properly enough termed a phantom and a shadow to represent the third estate, was to be abolished;—if the fact was so, he should rejoice exceedingly; because he could not but regard the resorting to such a mode of obtaining the royal assent as a fallacy, and a violation of the rights of the third estate, by an assumption of the exercise of those rights in the two houses of parliament, to whom it did not constitutionally belong. The right honorable gentleman opposite to him, thought proper to contend that the house had already determined on that point; but he begged leave to say, that they had not determined it;—they had, indeed, talked of it; and loose hints had been given in the course of debate of the nature of the thing intended to be put in practice; but all they had decided was, that it was necessary for the two houses to determine on the means by which the royal assent should be given to a bill; and, most certainly, there was a wide difference between resolving that it was necessary for the two houses to determine on the means; and the means themselves. Another matter, which still remained unexplained, was the degree of state and attendance, which the right honorable gentleman had observed that he meant to move to be annexed to His Royal Highness the Prince of Wales, in the room of that power and patronage, which, by the fifth resolution, he had proposed to take away from him. As the right honorable gentleman seemed to mean to retain that office, and give up every other,

he wished that at the time when the restrictions were laid before His Royal Highness, the right honorable gentleman would insert something in the address to apprize His Royal Highness of the intention, that he might know what he was to expect would be contained in the bill, and that it was to contain something else besides the restrictions. Mr. Sheridan concluded with moving, by way of amendment, to add to the motion, "That the restrictions were formed on the supposition that His Majesty's illness was only temporary, and might be of no long duration." These words, he said, he had taken out of the right honorable gentleman's letter to the Prince of Wales, which was already before the public; and, therefore, he did not imagine that any objection could be made to his amendment by the right honorable gentleman, or any other member.

Sir James Erskine, Mr. Pitt, Mr. Grey, Mr. Burke, and Mr. Pulteney followed.

Mr. Sheridan then rose again, and observed, that in such a case the house would perceive the want of system. The honorable gentleman had, on a former night, suggested on a sudden an intention to propose a limitation of the existence of the regency, which he had just told the house he meant to persist in, and should state more fully hereafter. It was upon this occasion, that the right honorable gentleman had professed an acquiescence; and after having stated, that his mode of proceeding was a mode which was not to be changed; he had in a manner agreed to receive the honorable gentleman's proposition, and to change it hereafter. To what end then vote the proposed address to the Prince of Wales? If they adopted any additional regulation, or made any alterations, they would necessarily have to do the business which they were now about, over again; and to send up a second address to the Prince, to learn, whether in the altered state of the

restrictions, his Royal Highness was yet willing to accept the regency. Mr. Sheridan pressed this argument, and then said, that, in order to obviate the right honorable gentleman's scruples, he should propose an alteration to his amendment, to which he did think that the right honorable gentleman could object. If he had understood what the right honorable gentleman had said before upon the subject, he had signified that his objection to the amendment was, that it proved what the right honorable gentleman had termed a partial selection from a paragraph in his letter to the Prince of Wales; and that he had left out certain words of importance. He could not, Mr. Sheridan remarked, consider those omitted words in any other light than as words of surplusage; but, in order to satisfy the right honorable gentleman, and to remove all his doubts, he had now taken those words of the right honorable gentleman's letter, that the right honorable gentleman had complained were omitted in the motion. The matter would then go clearly, and without reserve, to his Royal Highness, and they would see by his Royal Highness's answer, what steps they ought next to take. The words Mr. Sheridan meant to add to his motion, were these, "but, if unfortunately His Majesty's recovery should be protracted to a more distant period than there is at present reason to imagine, it will be open hereafter to the wisdom of parliament to reconsider these provisions." Mr. Sheridan said, that he must beg leave to read that part of the motion, on which the right honorable gentleman had relied, as marking in the right honorable gentleman's mind that the restrictions were calculated merely for the present exigency, and were consequently only of a temporary nature. He asked, if those words conveyed so clearly, distinctly, and intelligibly, that the restrictions were permanent, and not temporary, as the words of his amendment warranted such a conclusion. Why then, would the right honorable

gentleman use dubious words, when he might speak plainly and directly? The right honorable gentleman had before declared his letter was partially quoted. He had now taken the part which was omitted, and added it to the other; and, therefore, if the right honorable gentleman meant to do justice to the public, and to the Prince, he could not, with the least consistency, persevere in his objections.

Upon the question being put, that the house do give leave that the first amendment might be withdrawn, in order to give Mr. Sheridan an opportunity to join the first and second, and move both as one amendment; leave was given, and the question was then put on the whole of the conjoint amendment, which was negatived without a division, and the main question carried. Mr. Pitt next moved, "That the resolution, which relates to the care of His Majesty's person, and the management of His Majesty's household, being in the Queen, should be communicated to Her Majesty with an address, humbly desiring Her Majesty to take under her care those important trusts, as soon as an act of parliament can be passed for that purpose." This was agreed to.

JANUARY 29.

REGENCY RESTRICTIONS.

Mr. Pitt moved, "That the order of the day for going into a committee on the state of the nation be discharged." This having been agreed to, he next moved, "That the house resolve itself into a committee on the state of the nation, on the ensuing Monday." As soon as the Speaker had read this resolution,

Mr. SHERIDAN rising immediately, remarked that he felt it impossible to remain silent concerning the situation in which the house stood. The right honorable gentleman had, on the preceding Tuesday, declared, that there would not be the delay which an honorable friend of his, as well as he, had expressed their apprehensions of, during the course of the debate, but that on that day the house would have to proceed in the committee on the state of the nation. They now found themselves no nearer to the object than they were on Tuesday last. He wished therefore, before the question was put, to

know from the right honorable gentleman, what could occasion this failure of his promise, and consequently this impediment to business.

Mr. Pitt answered, that he readily acknowledged having expressed a hope on Tuesday, of the houses being able to proceed as that day, in the committee on the state of the nation; and, at the time, he had expected that his hope would have been fulfilled; but events had since taken such a turn, as rendered it impossible. He could not, in a parliamentary manner, communicate what those events were; but as he was anxious, at all times, to give the house every possible satisfaction, out of order as it was, he would venture to mention, that he believed his Royal Highness had appointed the next day, at three o'clock, to receive the joint address of the two houses; and that the house of lords would sit on Saturday, to take the next step for providing a commission for opening the parliament, and therefore it would be to no purpose for that house to sit on the same day.

Mr. Sheridan admitted, that it was unparliamentary to take any notice of what the right honorable gentleman had said; but, as it had been expected on the preceding Monday, that the address would have been moved in the house of lords on that day, and one of His Majesty's ministers had prevented it;—so the same hindrance might arise again, in respect to the commission to be issued for opening the parliament. On Tuesday last, the right honorable gentleman had declared, that there existed the most perfect harmony and cordiality among His Majesty's servants; he hoped, therefore, that the right honorable gentleman would feel no difficulty in giving the house a positive assurance, that the business would be proceeded on in the house of lords on Saturday, either by pledging himself for the fact, or stating that he really had good reason to believe it would so turn out; or, if he was unwilling to do this, that he would suffer that house to sit on Saturday, that they might enter upon the business, in case the lords should disappoint them, as they had done on the preceding Monday. He could not, Mr. Sheridan remarked, presume to say that the Prince of Wales would have been ready to receive the joint address, and to have given his answer upon that day; but would the right honor-

able gentleman undertake to declare, that His Royal Highness would not have received it that morning?

To this no answer was given.

Mr. Sheridan moved, as an amendment to the motion, to leave out the word "Monday," and insert the word "Saturday." By sitting on Saturday, the house, he said, would at least have one advantage;—if a part of administration should prevent the business proceeding in the house of lords on that day, as they had done, in the case of the address, on the preceding Monday; that house could go on with it, and thus prevent farther delay.

At length the question was put, and the house divided, that the words, "Monday next," stand part of this question.—Ayes 70; noes 52. The main question was then put, and agreed to.

FEBRUARY 2.

REGENCY RESTRICTIONS.

The following resolution passed by the lords, having been communicated to the house of commons, Mr. Pitt moved for their concurrence therein. This motion, which was at length carried without a division, gave rise to a long and warm debate.

Resolved, "That it is expedient and necessary, that letters patent, under the great seal of Great Britain, be empowered to be issued by the authority of the two houses of parliament, in the tenor and form following." Here followed an exact transcript of the writ usually issued under the sign manual, empowering certain commissioners to open and hold the King's parliament at Westminster. The commissioners nominated by the present letters patent were, the Prince of Wales, the Dukes of York, Cumberland, and Gloucester, together with the other persons usually inserted therein.

Mr. SHERIDAN observed, that he rose merely in consequence of what had fallen from an honorable gentleman over the way (Mr. Rolle). Mr. Sheridan denied that his right honorable friend (Mr. Fox), who was not then present, had ever asserted the Prince of Wales's right to assume the exercise

of the royal authority, without the adjudication of the two houses of parliament. The question of right was, therefore, unnecessarily agitated, because the doctrine of the two houses having a right to provide for the defect in the exercise of the royal authority, had never been denied. With regard to his right honorable friend standing high in the confidence of the Prince of Wales, the fact undoubtedly was, that his right honorable friend stood higher in the opinion of his Royal Highness than any other person; and the reason was, that his Royal Highness reposed the greatest confidence where he found the greatest merits. Of the secession to which the honorable gentleman had alluded, the reason was obvious. It was extraordinary, that the minister should have been with the Prince of Wales the day before the commission had been proposed in the other house of parliament, and that he should not have consulted his Royal Highness, whether it was agreeable to him, or to his royal brother, and royal uncles, to admit the respective insertion of their names in a commission, issued on principles repugnant to those contained in a protest, which the Duke of York had subscribed and recognized. As to the base coinage which was intended to be issued in the name of royalty, without its bearing one feature of the royal countenance, Mr. Sheridan said, that after the able arguments which had been urged, and particularly the speech of his right honorable friend (Mr. Burke), to which it was enough barely to allude, he would not pay remarks of such expressive force so ill a compliment, as to trouble the committee with an attempt to give them, what they did not want, additional validity, by a continuance of reasoning upon the subject.

FEBRUARY 7.

REGENCY RESTRICTIONS.

On the 3d of February Mr. Pitt had moved for leave to bring in a bill, to provide for the care of His Majesty's royal person, and for the administration of the regal authority during His Majesty's illness. Leave was accordingly given; and the bill was brought in and read for the first time on the day following; a second time on the 6th, and ordered to be committed on the 7th.

The regency bill consisted of thirty-two clauses.—The clause which was first objected to in the committee, was that which contained the oath to be taken by the Regent. Two parts of this oath were objected to by Mr. Burke.—First, that by which he was bound “to take care of the personal safety of the King to the utmost of his power and ability;” a provision which could only be considered as a mockery and insult upon the Prince of Wales, when it was well known that he was not in the smallest degree entrusted with the care of the royal person. Secondly, that part by which he was bound “to govern, according to the stipulations and regulations contained in the bill.” It was asked for what purpose this idea of a covenant was embodied; and why the words did not run in general terms, as in the coronation, “according to the laws of the land;” of which that bill, when it passed, would of course make a part. In answer to both these objections, it was said, that the oath was taken from that inserted in the regency act of the present reign; and with regard to the first objection, it was said, that the Regent, possessing almost the whole executive power, would be possessed of means peculiar to himself of providing for the King's illness; such as protecting him against treason, seditions, and riots, in case of civil war, or of invasion. The seventh clause, providing against the non-residence of the Prince, and against his marrying a Papist, being read, Mr. Rolle rose, and again brought on the subject of the rumour which had formerly prevailed of the Prince's marriage. He concluded with moving, that the words “or who is or should be married in law, or in fact to a Papist,” should be added. This produced much altercation, in which the mover was treated with great asperity, by Lord North, Mr. Grey, Mr. Courtenay, and Mr. Sheridan.

Mr. Sheridan observed, that he should now trespass much less than he at first designed upon the attention of the house, because the noble lord (North) in the blue riband, had so completely answered his purpose of rising at all. There was undoubtedly a disposition on the side of the house on which he sat, to treat the matter without much discussion; but he could not help thinking the right

honorable gentleman had endeavored to raise a warm discussion, by imputing intentions which could not exist. The noble lord in the blue riband had treated the subject with that levity, which better became it, than the pompous solemnity it had been dressed up with by those honorable gentlemen, who had said they had their doubts, but that they wished them to be hushed up. If any gentleman seriously thought that the matter, so darkly hinted at, had taken place, it was his duty to state the ground why he thought it necessary to propose an inquiry, and to probe that inquiry to the bottom. With regard to the honorable gentleman's motives, continued Mr. Sheridan, "I plainly say, I doubt the honorable gentleman's motives; and I say so, because I can judge only from his actions, of the purity of his motives. I can't pronounce them bad, because I can't possibly know what they are; but, let us compare them with his conduct. The honorable gentleman says, he has his doubts—he does not state why; he has had acts of parliament consulted, tending darkly to sustain those doubts. What motive can he have but to give suspicion wing, and disseminate alarm? Who has said any thing in favor of those doubts? It is true, a pamphlet has been written by an ingenious gentleman, the madness and folly of which are apparent in every page, and the whole drift of which betrays the author to be a bad citizen; because, when he roundly asserts that he seriously believes the fact he refers to, to have taken place, and then resorts to no means of elucidating it; he insinuates what he ought not to have insinuated, without proceeding to establish it by something, at least, that bore the resemblance to truth." The honorable gentleman opposite had acted exactly in the same manner; and therefore the committee were entitled to doubt his motives. The right honorable gentleman, it was plain, did not believe the fact in question, or he would have been ready enough to adopt the amendment

offered by the honorable gentleman. The right honorable gentleman had surely dealt enough in restrictions, providing against unnecessary apprehensions, not to be suspected of being ready to propose farther restrictions, if he could urge a colorable pretence for so doing. If the right honorable gentleman really did entertain a suspicion—a doubt—or a scruple upon the fact, it ought not to be huddled up, and left unexplained.

Mr. Welbore Ellis desired the royal act to be read, by which it is enacted, that the marriage of any of the descendants of the George II. shall not be valid without the royal assent. This, he observed, was a full answer to all cavils; as that could not be valid, in fact, which was not good in law. The amendment was negatived without a division. The next clause in the bill was, that which restrained the Regent from creating peers. Mr. Jolliffe moved an amendment for limiting the duration of this restriction to the 1st of February, 1790. This amendment was also negatived without a division. The next clause on which any debate took place, was that respecting the granting of places or pensions in reversion. Lord North observed, that it was one of the professed principles of the revolution that the prince should have the power of appointing his own servants. How then, he asked, if the prince had not the power of granting pensions or reversions, was it possible for him to fill the highest situation in the law department if a vacancy should happen therein. Not a puisne judge, nor even a barrister of tolerable business would accept of the office of lord high chancellor, an office extremely precarious in its tenure, if the Prince had not a power to reward him for his services in case of dismissal. He therefore proposed that an exception should be inserted to provide for such a case. Mr. Pitt in answer said, it was very fit the Regent should have the choice of a lord chancellor, if the country should be so unfortunate as to lose the learned lord who now filled that office; but still he was of opinion that it was not in the present bill that the power of providing for him should be given. When the occasion should occur, the Regent might apply to parliament, and he himself, for one, would very readily agree to the pension. But a Regent should not be put on a better footing than the King himself; now the King could not grant such a pension without the consent of parliament: it was for this reason only that he opposed the noble lord's motion.

Mr. Sheridan, with great wit and acuteness argued, that what had fallen from the right honorable gentleman, amounted to a declaration, that he considered the present Lord Chancellor as thinking so highly of the successors of the existing ministers,

that he was willing to remain in office, notwithstanding his present co-partners were dismissed. He considered the right honorable gentleman's conduct, as a design to smooth the way to the Lord Chancellor's retreat, when necessary; and as providing for adding that noble lord's strength, as long as he did remain in office, to that fortress, which, Mr. Sheridan said, he had before described as the place of strength which the right honorable gentleman had secured for his own retreat. A variety of possible cases might occur, supposing the present Lord Chancellor was to continue in office; and yet an occasion might offer, to induce him to quit his situation. Supposing there should be a vacancy in any distinguished office of the law—the office of the master of the rolls for instance; and though a learned, respectable, and every way a qualified gentleman, should be proposed by the minister, the Lord Chancellor should resist the nomination, and should declare, that he would not ratify it, by putting the great seal to the commission. After a deal of resistance, and a full exemplification of the natural ferocity and sturdiness of his temper, and the possibility of its being signified, that he must either give way, or quit his station, he might, in spite of his brutal bluntness, assent to the appointment. But, suppose he should not, or imagine, that by illness, as at present, the Lord Chancellor was prevented attending his duty in the house of lords, a vacancy might possibly be occasioned; and who could the Regent's administration procure for a successor, under the disability of the bill before the committee? As to the right honorable gentleman, he had so often signified his departure from office, and taken leave of the house again and again, that it was wonderful he had not before signified the preference which the present Lord Chancellor gave his probable successors, in comparison with the present ministers.

Mr. Pitt said, the honorable gentleman had indulged himself in imputing words to him which he had never spoken, and applying arguments which he had never uttered. The honorable gentleman contended that he had signified his departure from office. Surely, the honorable gentleman had a perverse memory. His successors had been named to him, but he had never yet heard of the least circumstance which authorized him to declare that he was about to quit his place. When he did hear any thing like it, he should have much to say to that house, to express his acknowledgments for the support he had received to confess his obligations to them, and to declare his hopes, that he should not quit his situation, avowing principles less worthy their regard and esteem, than he brought with him into office.

Mr. Sheridan observed, that the right honorable gentleman, he did not doubt, would make a fine speech at his exit from office ; or, according to the vulgar expression, an excellent delivery of his last dying words and confession.

The committee proceeded through the next clause, respecting the Duchy of Lancaster. The chairman was then, on the motion of Mr. Pitt, directed to report progress, and ask leave to sit again.

FEBRUARY 9.

REGENCY RESTRICTIONS.

The 12th and 13th clauses were read and passed. On the 14th, providing for the payment of His Majesty's household, under the direction of Her Majesty, being read,

Mr. SHERIDAN rose and objected to the clause, as wholly unnecessary ; and as tending to create a double government of the household, in the Queen, and in the Treasury.

Mr. Powys moved, " That the clause be postponed." The motion being persisted in, the committee divided ; ayes 87 ; noes 132 : majority 45 against its being postponed. The clause was then put and carried without a division. The 15th was put and carried ; the 16th, relative to the privy purse of His Majesty, was next brought forward, and opposed by Mr. Dempster, Sir W. Cunynghame, Mr. Burke, Sir W. Molesworth, and Mr. Sheridan ; and supported by W. Pitt, Mr. Dundas, Sir James Johnstone, and Sir B. Haunnett. This clause was finally carried. The 17th was next read, vesting in Her Majesty the care of the King's person, and the government of the household. Mr.

Powys objected to that part of the clause which gave Her Majesty power over the household; and he condemned it as a division of power with the executive authority which was unjustifiable and inadmissible. He concluded by moving an amendment to the preamble of the clause, leaving it open for future revision. This was agreed to. Sir Peter Burrell condemned the latter part of the clause; the patronage given by which, he said, was so loosely expressed, that it was impossible to ascertain the amount of it, and of which he conceived the house ought to be acquainted previously to their adopting the clause.

Mr. Pitt asked, whether it was possible for gentlemen seriously to suppose that they could not invest the Regent with royal dignity, but by depriving the King of every sort of dignity whatever? The grounds of objection to the clause were now stated to be that of parliamentary influence; a ground which we would venture to say it was wholly unusual to take broadly and openly in that house; because, whatever might have been gentlemen's private opinions respecting that particular kind of influence, it never had been avowed to be necessary to government, till the lords had thought proper to avow it that day. When it was said, that it was necessary to keep up the state and splendor of the Regent, by decorating him with those external marks of the royal dignity, ought not the King's dignity to be kept by such marks? Ought they, in the earliest moments of His Majesty's illness, to be eager to strip him of every mark of dignity, in order to deck out the Regent with unnecessary powers? Mr. Pitt contended, that they ought not; but it was their duty to manifest that they had not forgotten the respect and reverence to a sovereign, who had, throughout his reign, proved himself the father of his people. Gentlemen were aware that it was intended, at a fit opportunity, to provide for the Regent such an establishment, as should be adequate to distinguish him with a degree of state and dignity, which the exalted situation he was to fill rendered necessary for the honor of the nation.

Mr. Sheridan having remarked, that if the right honorable gentleman was in earnest in his proposition, they might effect a division in the household, as proposed by the noble lord near him; added, that whilst the right honorable gentleman was throwing out jealousies and insults against another person, he was assuming the highest degree of confidence to himself, by expecting that it was to be believed explicitly, that he would make no use of the parliamentary influence he was providing to support him out of office. The right honorable gentleman had termed the Lord Steward, the Master of the Horse, and the Lord Chamberlain, on a former occasion,

the menial servants of the King, like those to be found in the families of most noblemen. Was there any truth in this comparison? Had the menial servants of noblemen any public duties? and would it be contended, that the great officers of the household had not very high and important public duties? These were, and had ever been, considered as the great officers of the crown; and that they had been so deemed, was evident from an act passed in the reign of Henry VIII. to which he referred. Having read the extract, Mr. Sheridan took notice of Mr. Grosvenor's declaration, that the house had not, thank Heaven, a King to make! He said, were he not aware that the honorable gentleman was a friend to the monarchy, he should have thought that the language of a republican, who wished to shake the monarchy, and introduce another form of government. Under the idea of affection to the King, they were endeavouring to subvert the royal prerogative. Let those gentlemen separate the personal idea of a king from a monarchy, and they would see what a blow had been aimed at the monarchy. Was it nothing to have been without the representative of a king for almost four months, during which time the arm of government had remained inanimate. The right honorable gentleman having represented His Majesty as destitute of dignity, unless he had the white staves with him, was libelling His Majesty's feelings as a father and a king, and argued that he was destitute of the dignified sentiments which ought to inspire the one character, and the tender affection which should fill the breast of the other. If His Majesty reigned in the hearts of his people—and it was very true that he did—it was the less necessary that his calamity should be contrasted with the appearance of grandeur, an ostentatious parade be made of disease, and the melancholy situation of His Majesty rendered indeed more public and more distressing. Mr. Sheridan reprobated the idea of gorgeously decorating the bed of sick-

ness, and loading it with regal trappings, the more mortifyingly to expose the wretched state of a sick king. He condemned the idea of the Queen's having the power to change the officers of the household in her own name; observing, that they had all been appointed in His Majesty's name. If it was so necessary to keep the household remaining, the places ought to be put in a state of suspension and abeyance, during the continuance of His Majesty's unhappy malady, and the words "salary, profits, and emoluments," left out of the clause. He spoke of the indecency of the officers of the household coming down to the house, and voting their own salaries, when they were conscious it was not likely for them to be called upon to do any duty. He noticed the declaration of Mr. Pitt to make new establishments for the Regent. He asked how the right honorable gentleman could dare to suggest such an idea, after having heard the declaration from authority, that the Prince of Wales desired to have no such establishment created as should cause fresh burdens to be laid on the people? Did the right honorable gentleman mean not to leave the Prince the free will to refuse the establishment, if offered? Had he forgotten what he had heard upon the subject from his right honorable friend? The right honorable gentleman must, he said, have a pretty considerable share of presumption in taking it for granted, that the King, on his recovery, would be pleased to hear that a new tax had been imposed on his people. He believed His Majesty would consider it as the most fatal consequence of his illness, if it had caused his subjects to sustain an addition to the burdens under which they already laboured.

Mr. Pitt defended himself from having, in his opening, called the Lord Chamberlain, the Lord Steward, and the Master of the Horse menial servants of the crown, and said, it was the very term bestowed on those officers by the right honorable gentleman in his own bill, for the reform of the civil list. [This appearing to be doubted by Mr. Sheridan and some of the gentlemen on the other side of the house, Mr. Pitt begged leave to refer them to the bill in

question.] He desired Mr. Sheridan to give him his attention, while he answered one part of his speech. He then took notice of Mr. Sheridan's assertion, that the best way to support royalty, was to separate the person of the King from every royal dignity. He denied that His Majesty was at present in an humiliating condition; instead of his state being low, abject, and degrading, as the right honorable gentleman had described it, it was very much the contrary. His present visitation of sickness had excited in his subjects something more than the loyalty they always paid him; it had roused in the hearts of His Majesty's people a great fervor of affection, which was blended with a degree of grief and compassion, that partook of veneration and respect.

Mr. Sheridan complained that the right honorable gentleman had, in a very extraordinary manner perverted his argument. The right honorable gentleman had, he observed, said formerly that he would at a future time answer the arguments of gentlemen, and that they should have abundant opportunities of discussing and debating every part of the subject; but since the bill had come on, the right honorable gentleman not only never mentioned any of those arguments which he had formerly reserved, as it were, to answer at a future time; but when new matter was advanced in debate, had dryly declared, that nothing had been said but what they had before heard, and therefore he would not take up the time of the house with a reply. This was as pleasant a way of avoiding to combat arguments which could not be answered, as ever happened. The right honorable gentleman had perverted his argument strangely, by saying that he had stated, that separating all the royal dignities from the person of the King, was the best way of supporting the dignity of the crown. Mr. Sheridan denied that he had argued in that manner. His argument was, that all which had been given in support of the state and dignity of the crown, ought to be annexed to the person exercising the royal authority, and not to the King, confined to a bed of sickness, and incapable of exercising the functions of the kingly office:—so to annex that part of the household, from which His Majesty could in his present condition, derive

neither use, nor honour, nor dignity, was a greater mockery than it was a compliment. Mr. Sheridan took notice of the allusion to the speech of his right honorable friend made by the Chancellor of the Exchequer, and said, that allusion had been incorrectly stated, as allusions to speeches delivered at a certain preceding period, and in the absence of those who delivered them, generally were. He took notice of Mr. Dundas's declaration of Saturday, that he lamented his right honorable friend's absence, and informed the committee, that his right honorable friend's health was greatly better; and that he had made an effort to be present at that debate, having been struck with astonishment at that most extraordinary clause of the bill, which provides for His Majesty's resuming his royal authority. With regard to the sum of 300,000*l.* which his other right honorable friend had said was the amount of the patronage of the household, the right honorable gentleman over the way had denied, that it amounted to so much; but the committee would recollect, that the right honorable gentleman had told them first, that it amounted only to 100,000*l.* a year, and in his last speech he had acknowledged, that it amounted to more than 200,000*l.* a year. The right honorable gentleman had averred, that more than one half of that sum consisted of the approved bills of tradesmen, which had nothing to do with parliamentary influence. He denied the fact to be so; he could easily see how great a degree of parliamentary influence arose out of those bills. Was there never such a thing as a Westminster election? Would the right honorable gentleman, with that orange cape to his coat, take upon him to declare, that no parliamentary influence could be exercised through the medium of the tradesmen of the household, at such an election? Mr. Sheridan contended, that both at an election, and in various ways, influence would result from the tradesmen's bills, as well as from the officers of admitted importance

in the household. With regard to the latter, the case was clear ; for, to whom were those persons to look for the maintenance of their situations, but to those who conferred those situations on them ? Mr. Sheridan added, that he should move an amendment, to fulfil the idea of the noble lord near him, of separating those officers of the household, who were merely officers of state. Mr. Sheridan, with this view, moved to annex some words to the clause, purporting to empower Her Majesty to have the direction and control over such officers of the household as should be deemed necessary to attend about Her Majesty's royal person.

The amendment was no sooner read by the chairman, than Mr. Pitt objected to it, because it was inconsistent with the principles on which they argued, and with the mode of proceeding. It was, he believed, the first time, that an amendment, couched in such general terms, was moved in a committee on a bill. If the amendment was agreed to, it would be necessary to move an additional clause, to explain to what the general words of the amendment referred.

Mr. Sheridan answered, that another clause would be indispensably necessary, which he meant to move at the proper time ; and nothing would prove more easy, than to refer to the civil list, and from that specify such officers of the household, as would be proper to be put under the control of the Queen, because they would be necessary attendants on the King's person. Mr. Sheridan observed, that the preamble of the clause naturally led to such an amendment as he had proposed ; and, as an argument in proof of its propriety, remarked, that by the bill, the Queen having the power of appointing and discharging the officers of the household, they would be her officers and not the King's ; and as she was not obliged to fill up vacancies, though she had the power of doing so, great inconveniences might arise, in case of her not filling up vacancies. Suppose, for instance, the office of Lord High Steward should be vacant, and the Queen was not to fill it up, who would there be to swear in a new parliament, granting such an event to take place ?

At length the committee divided on Mr. Sheridan's amendments ; ayes 118 ; noes 173. The question was then put on the original clause and carried. The chairman was next admitted to report progress, and ask leave to sit again.

FEBRUARY 10.

REGENCY RESTRICTIONS.

The clause relative to the Queen's council being read, Mr. Pitt proposed, that it should consist of the four principal officers of the household, the Lord Chamberlain, the Lord Steward, the Master of the Horse, and the Groom of the Stole, for the time being, and in addition to these of four other persons ; in selecting of whom he was naturally led to make choice of those whom His Majesty himself had placed at the head of the church and the law. And, therefore, he should propose the names of John Lord Archbishop of Canterbury ; Edward Lord Thurlow ; William Lord Archbishop of York ; and Lloyd Lord Kenyon. This constitution of the council was objected to on these grounds :—First, On account of the omission of the princes of the royal blood ; secondly, On account of the nomination being in some instances personal, and in others official ; and lastly, Because of the omission of other eminent personages, whose situations made them fit objects for such a choice.

Mr. SHERIDAN considered the proposition of the right honorable gentleman (Mr. Pitt) as unnatural and unprecedented. It had been urged by the noble Marquis (Graham) that the Princes of the Blood could give their advice to Her Majesty without being appointed of the council ; but their advice, however good, might be useless, because they were not of the council, without the majority of which Her Majesty could not act upon the most important occasion ;—the restoration of His Majesty to his government. It could be no degradation to the Princes of the Blood to be put into a responsible situation, when the first Prince of the Blood, the Prince of Wales, was appointed to a place of great trust and responsibility. He considered Her Majesty's sons and the King's brothers to be her most proper and natural advisers ; and he deprecated the measures proposed by the right honorable gentleman, as tending to cause parliament to infuse into Her

Majesty the suspicion, that her sons were not the proper persons to counsel her, which was an outrage on the feelings of nature. He concluded by hoping that the noble lord's proposition would be agreed to, and that the house would not go along with the right honorable gentleman in objecting to the insertion of the names of the Princes of the Blood.

A division took place on a motion made by Lord North, that the Duke of York should be one of the council, when the question was negatived; ayes 130; noes 177. The names of their Royal Highnesses Prince William Henry, Prince Edward, Duke of Gloucester, and Duke of Cumberland, were then severally proposed and negatived. Mr. Dempster proposed the Speaker of the house of commons, and the Lord Mayor of London, both which questions were negatived.

FEBRUARY 11.

REGENCY RESTRICTIONS.

The 26th clause, providing for the resumption of the government by His Majesty, being read, Mr. Sheridan urged the necessity of having the King's capacity to resume the government ascertained by the two houses of parliament, rather than by the Queen or the privy council.

Mr. SHERIDAN remarked, that in answer to the observations of the honorable gentleman (Colonel Phipps) who spoke last, it was sufficient to say, that no person disputed the indubitable right of the King to resume his government, when recovered. The real question was, the fact of His Majesty's being restored, and capable of resuming the government, and the manner in which that should be ascertained, and the resumption of his powers made. After passing that bill, the main question would stand, that His Majesty had no right, though His Majesty would have an unquestionable right, on his recovery. But, what were the proper means to ascertain that recovery? By the mode proposed for His Majesty's resumption of his government, it was to be under certain terms and conditions. Who then were to be the judges of those conditions; who so

proper as the two houses of parliament? No person doubted the propriety of their going into an examination, to prove the incapacity; it was their duty to do so, and it was equally their duty to take care to provide against any act of His Majesty, until his capability was known. By the present clause, they were about to delegate the trust which belonged to themselves, and to others, and thereby depart from the duty which they owed their country, and degrade themselves by acknowledging, that those eight counsellors of Her Majesty were more trust-worthy than parliament. After reprobating the powers of the clause given for the resumption of the government as dangerous, Mr. Sheridan summed up his arguments, by declaring that the house was upon the verge of delegating their authority into the most suspicious hands;—into hands, by no means proved to be fitter for the trust, than the parliament. They were about to fall into the error, which the principle of the bill was to guard against; and to suffer the Regent to have the power over the person of the King, in many cases, but, in particular, on the death of the Queen; they were putting themselves into such a situation, that, the first notice they might have of His Majesty's recovery, might be by a dissolution of the parliament; the second step His Majesty might take, might be, under his sign manual, to appoint a new regency, by lords justices, or otherwise; and thus, when parliament should again assemble, they might meet, not His Majesty, who might be relapsed, but his commission, without ever having any proof laid before them, of the re-establishment of his health.

Mr. Dundas and other members having spoken,

Mr. Sheridan rose again. He complimented Mr. Dundas, declaring, that with regard to the beginning of his speech, he never had heard any thing more able, more earnest, or more eloquent; but that, towards the end of it, the right honorable and

learned gentleman got himself entangled in an argument which destroyed the principle of all his former reasoning. The right honorable and learned gentleman had first doubted whether he had any right to impose restrictions on His Majesty's re-assumption of his royal authority; and, he had afterwards said, that the bill had provided all the necessary checks and restrictions; thus contradicting the right honorable gentleman's assertions. The right honorable and learned gentleman had asked whether His Majesty ought to be a suppliant to parliament, for the exercise of those prerogatives which of right belonged to him? He would answer, that it would be better for His Majesty to supplicate that house for his crown, than either his council of eight, or his nine privy council. Mr. Sheridan charged Mr. Dundas with flying to the common-place topics of pitying the King, and saying all he felt for him and his situation. They all, no doubt, felt as they ought to do for His Majesty; but they ought likewise to feel for their country, which was of equal consideration. The right honorable and learned gentleman, disdaining to read the bill upon which he had been speaking, had made several gross blunders; and plainly proved that he was not master of the various clauses which the bill contained; perhaps he had not read them. He had talked of what might happen in case of the Queen's death, whereas the bill contained an express provision for that circumstance. He had all along understood, Mr. Sheridan said, that they were not to argue on grounds of personal confidence; and the right honorable and learned gentleman in particular had, a few days since, declared that arguments of this kind were unmanly and improper; and yet, in his speech of that day, he had resorted to that sort of argument; he had called upon the house to know whether Lord Thurlow, Lord Kenyon, and the rest of Her Majesty's council, were not the fit persons to advise Her Majesty? Will you not, said he,

believe that the Archbishop of Canterbury is a person fit to be trusted, and that he will connive at no fraud which leads to the circumstance of bringing forward His Majesty for the re-assumption of his royal authority? Undoubtedly, Mr. Sheridan observed, it was not likely to be supposed that the Archbishop of Canterbury, Lord Thurlow, and the rest of Her Majesty's council, were persons very likely to betray their trust; but, they all knew that personal confidence was not a fit ground for parliamentary argument. The right honorable and learned gentleman had, the preceding day, declared, that the council of the Queen was only a council of advice; and yet, that day they had heard him contend that it was a check, and a council of control. Mr. Sheridan desired the committee to recollect on what grounds the Irish parliament proceeded, and that they took up the circumstance of the King's incapacity, upon the declaration of the English parliament, and proceeded upon a principle of respect to them. He urged the necessity, therefore, of their settling the mode of His Majesty's re-assumption of his royal authority, in such a manner as the Irish parliament should be willing to adopt.

Mr. Powis moved several amendments.

Mr. Sheridan observed, that as the bill stood, His Majesty's recovery would not come before parliament at all, even if it were sitting. He reminded the house of what he had spoken before, when he adverted to the possible case of His Majesty's recovery, and the very first act of his executive government being a dissolution of the parliament. He put the case also of the King's being recovered to a degree, and substituting a new form of government without parliament. He stated, likewise, that His Majesty might recover, and might not chuse to appear in public, but might nominate other persons as *Custodes Regni*, to carry on the government for him. Mr. Sheridan moved an amendment, which he ex-

plained to be introductory to still farther amendment meant to be afterwards proposed, with a view of procuring the object aimed at, by those who thought as he did, that parliament ought to be the medium of restoring the government to the King, on his recovery.

Mr. Sheridan's amendment tended to oblige the privy council to take care that the instrument, stating His Majesty to be recovered, which was to be sent to the Lord Mayor of London, and inserted in the London Gazette, be previously before parliament.

The committee divided on the amendment; ayes 113; noes 181. They then went through the whole bill—the report was brought up and agreed to, and the bill ordered for the third reading on the morrow.

FEBRUARY 12.

REGENCY RESTRICTION BILL.

Upon the third reading a clause was proposed to be added by Mr. Pulteney, limiting the restriction relative to the creation of Peers, to three years.

Mr. SHERIDAN remarked, that his sentiments coincided with those of his honorable friend, (Mr. Pulteney) in regard to the probability of the lords refusing to open the door to their house, if by passing the bill without any limitation of the duration of the restriction, with respect to the Regent's power to make peers, they suffered the power to pass out of their hands, and the door of the house of lords to be once shut. Mr. Sheridan declared, he was surprised at what the right honorable gentleman (Mr. Pitt) had said of the idea of the improbability of the lords ever wishing to continue the power, when they once got it into their possession. The right honorable gentleman seemed to have forgotten they had gone throughout the whole of their proceedings, not on probable dangers, but on possible dangers; and every danger which was morally possible to happen,

had been most studiously and cautiously guarded against. That such an idea as the right honorable gentleman had stated, was implied by parliament, was not, Mr. Sheridan thought, to be tolerated; the right honorable gentleman, and the gentleman behind him, seemed to have adopted a principle which might be extended for seven years, as well as three; and, therefore, not choosing to lend his sanction, to the principle, that the executive power ought to continue maimed and crippled by useless and harsh restrictions, for three years, he should move to leave out the words "three years," and that the words "one year" be inserted in the blank.

Mr. Chancellor Pitt answered, that the honorable gentleman who spoke last, seemed to have done him more justice than the honorable gentleman near him, because he had expressly stated, that as they could not fix the precise period of the duration of His Majesty's illness, he would agree to three years, as a period the most extreme and distant that could be taken; but that if His Majesty should not recover soon, the restrictions ought to cease within the period proposed; and the honorable and respectable member who had introduced it, had expressly stated a similar sentiment. How then could it be considered, that, adopting the words "three years" to fill up the blank under the construction which had been laid down, was making parliament declare that its opinion was, that the restrictions ought to last for three years? With regard to the amendment proposed, would not the honorable gentleman, by what he was doing, defeat his own purpose? The honorable gentleman had observed that he moved an earlier day, that it might not appear to be the opinion of parliament, that parliament thought the restrictions ought to continue three years. He should conceive, that the honorable gentleman would serve his purpose better, by withdrawing his amendment, and letting the original motion be put.

Mr. Sheridan answered, if the motion for filling the blank with the words "three years" was carried, the right honorable gentleman had declared it would appear that it was not the opinion of the house that the restriction should continue for three years. This was, Mr. Sheridan said, the most extraordinary opinion he had ever heard, and therefore, he should certainly persist in his amendment.

The question was put, and the clause filled up with the words "three years," agreed to, and ordered to stand part of the bill.

Mr. Sheridan begged leave to ask a question of the honorable and learned gentleman whom he saw opposite to him, the answer given to which would shew whether his amendment was necessary or not. His Majesty had power to grant a commission for opening parliament; and he desired to know whether the King had not power to invest those commissioners with full regal authorities. He found from the precedents with which they had been furnished, that in the case of Henry the Sixth, when the Duke of York was appointed to exercise the royal authority in parliament, it might be done. What he wished to know then, was, could the King do the same thing by a general commission; or whether, as in the case of Lord Hardwicke, in the year 1754, he must issue a second commission to give the royal assent to any bill or bills?

The Master of the Rolls answered, that if the honorable gentleman meant to enquire whether the King could delegate the whole of his authority by one commission, he thought he could not do so;—he could not, for instance, make his Attorney-General King. To make any man King by attorney, was a power that the King of England did not possess. With regard to the commissions issued in Henry the Sixth's reign, in the cases of the Duke of Gloucester in the commencement, and the Duke of York in a subsequent period; in both those cases the commissions issued under the great seal, and were confirmed by parliament.

Mr. Sheridan thanked the honorable and learned gentleman for answering him in part, but he had reasoned rather than answered him entirely. Mr. Sheridan proceeded to put his case again, and maintained that the commission appointing the Duke of Gloucester to hold the parliament, and give the royal assent to bills, was a case in point. The King was then a minor, incapable of acting for himself, as our king was at present incapable, though from another cause. Was there not in the King a power, not only to issue a commission investing commissioners with authority to open par-

liament, but to give the royal assent to a bill, and to act in every instance with the royal authority.

The Attorney-General said he would answer the honorable gentleman in three words;—The King cannot.

Mr. Sheridan afterwards went again into the question which he had before put to the lawyers, grounding his second application upon a clause which he moved; the object of which was, to restrain His Majesty from granting any general commission, investing the commissioners with powers to open the parliament, give the royal assent to bills, &c. &c. &c.

The question was put on Mr. Sheridan's clause and negatived.

MARCH 19.

ORDNANCE ESTIMATES.

*The report of the resolutions voted by the committee of supply on the ordnance estimates, having been brought up by Mr. Gilbert, and the resolutions read a first time, on the question being put "That these resolutions be read a second time." General Burgoyne, Mr. Courtenay, and Mr. Sheridan opposed them. The object of the resolutions was to grant a sum of 218,000*l.* for the extraordinaries of the ordnance. This demand was made by ministers, in consequence of a plan formed by the Master-General, for fortifying to a certain extent, the West India islands. In the course of the debate Mr. Courtenay was called to order by the speaker.*

Mr. SHERIDAN rose to defend his honorable friend, Mr. Courtenay, who had, he thought, been rather improperly called to order.

The speaker answered, that it was an essential part of his duty, to preserve order. It was at all times disagreeable to him to interrupt gentlemen; but when they in a second speech, went into new reasoning and argument, instead of confining themselves to explanation, he felt it to be his duty to interrupt them; and, however he might on any occasion mistake the point of duty, in respect to order, yet, when his intentions were of the nature which he had described, he conceived it to be unhandsome to make any reflection on his conduct.

Mr. Sheridan admitted that his honorable friend's words, when he was called to order from the chair, were not afterwards followed with that explanation,

which he had expected he was about to give; but the house well knew, when gentlemen were interrupted, it frequently happened they pursued a different train of ideas from those they had set out with. With regard to the question itself, he did not mean to speak to the military part of it, nor did he conceive this was the question before the house. But, if they were to rely on military authority, his honorable friend (Colonel Phipps) must excuse him, if, on account of his greater experience, he gave the preference to the authority of his honorable friend near him (General Burgoyne.) The real question, however, for their consideration, appeared to him to be, whether His Majesty's Chancellor of the Exchequer, in asking that sum from parliament, had giving the proper documents to satisfy the house, that the sum ought to be voted? Mr. Sheridan said, he thought the right honorable gentleman had not; because, last year he had himself submitted the very same motion, as that which was now made by his honorable friend. The right honorable gentleman had then declared that no estimate had been received by government from the West Indies, but that government expected one; and when it came, it should be laid on the table. Upon that suggestion, or rather promise, Mr. Sheridan said, he had consented to wave his motion. He remarked, that he perfectly well recollected, the right honorable gentleman had last year said, the expense would probably amount to about 200,000*l.* but, that if it were double that sum, the object would deserve it. As it was confessed, that an estimate was now before the Board of Ordnance, the house ought to have it upon the table, before they proceeded to vote the money. Mr. Sheridan declared, he had not been present when the seamen were voted; but when he saw that 2000 additional seamen had been voted, it gave him great satisfaction, because he thence conceived, that the project of fortifying the West

India islands had been reconsidered by His Majesty's ministers, and rejected as impolitic; a conception to which the train of reasoning of the right honorable gentleman naturally led, when he spoke upon the subject, in the course of the preceding session.

The resolution for granting the sum demanded, was voted without a division.

MAY 4.

PETITION OF MR. HASTINGS.

On the 3rd of February, Mr. Hastings presented a petition to the house of lords, in which, after recapitulating the proceedings, which had already been had from the commencement of the impeachment, he stated the great hardships to which its extraordinary duration had, and was likely still further to subject him. Among these, he mentioned the decease of several of his judges—the detention of witnesses necessary for his defence—the probability of his being deprived of many of them by various accidents—his health impaired, and his fortune wasted. He reminded them, that two articles only, out of twenty, had yet been gone through by his accusers—that his expenses had already exceeded 20,000*l.* and consequently, that should his life be continued to the close of the trial, he might find himself destitute of the means of defence, and even of subsistence, and run the dreadful chance of having his character transmitted on the records blasted with unrefuted criminations. He therefore prayed that they would enable him to make his innocence, and he hoped his deserts, apparent, by proceeding without delay upon his trial. The intervention of the circuits of the judges rendered it impossible for the lords to proceed upon the trial before the 20th of April, when the court was resumed, and sat during the remainder of the session, seventeen days. The charge brought before them, and opened by Mr. Burke, was that relative to the corrupt receipt of money. In the course of his speech, Mr. Burke had occasion to remark upon the conduct of Mr. Hastings towards one of his accusers in India, called Nundcomar; and after relating other acts of injustice and cruelty, he added, that he had, at last, murdered that person, by the hands of Sir Elijah Impey. A few days after the charge had been opened, Major Scott presented a petition from Mr. Hastings to the house of commons, in which he stated, that Mr. Burke in supporting the charges, exhibited against him at the bar of the house of lords, had accused him of sundry heinous crimes not laid in the articles of impeachment. He instanced the charge of having been concerned in a plot for assassinating the Shahzada, and in another plot for putting to death the son of Jaffier Ally Khan; of being accessory to certain

horrible cruelties alleged to have been committed by one Dibi Sing, and lastly, of having been guilty of the murder of Nundcomar. He therefore prayed the house either to bring forward and prosecute those charges in specific articles, and thereby give him an opportunity of vindicating his innocence, or to grant him such other redress as to their justice and wisdom might seem fit. A motion was made that the petition should be brought up, which was, after a debate, agreed to without a division. A difficulty occurred as to the mode of ascertaining the words spoken. The notes of the short-hand writers, who attended the trial, being contended for by several of the members, and objected to by Mr. Fox and Sir Grey Cooper as contrary to the uniform practice of parliament. Their objections appeared of so much importance to the house, that a committee was appointed to search for precedents. The committee reported, that there were no precedents of any complaint of words spoken by managers in Westminster-Hall to be found. The managers again urged their objections to the examination of any short-hand writers; but the favourers of the petition, insisting upon the duty of the house to govern itself in such cases, by what should appear most likely to promote the ends of substantial justice prevailed; and after a division of 115 to 66, the short-hand writer was called in. The next question was, whether all the particulars complained of by the petitioners should be enquired into, or whether the house might select what part they pleased. Mr. Pitt and others were of opinion, that the house ought to pay no attention to the words said to have been spoken in the former year, as the complaint had been so long deferred: and they should confine themselves to the words relative to Nundcomar. This was also objected to by the managers, as an arbitrary proceeding, but finally agreed to by the house. Upon this question,

Mr. SHERIDAN remarked, that all partial examinations of the petition were improper; the house had, for the purpose of granting justice to Mr. Hastings, received, and agreed to take into their consideration the petition; he hoped, therefore, that they would not be so unjust to his right honorable friend (Mr. Burke) as to refuse to take the whole of the petition into their serious consideration, that he might have an opportunity of meeting and refuting the charges which it contained. If the house proceeded upon the principle which they had avowed to proceed upon in their reception of the petition, the principle of doing justice to Mr. Hastings, what right had they to garble his grievances, and to say, "This we will, and this we will not consider?" If they considered any, they were bound to consider

the whole. The mode proposed by the amendment might possibly be thought a more handy way of passing a slur upon the managers of the prosecution ; but it was a mode which he sincerely hoped that the house would not adopt.

After much altercation, in which Mr. Fox complained in strong and pointed terms of the indignity and injustice with which the managers were treated ; it was agreed, that some part of Mr. Burke's speech preceding the words complained of, should be read ; which done, and the offensive words ascertained, the Marquis of Graham rose, and moved, " that the said words were not authorized by any proceedings of that house."

Mr. Sheridan asked if that was the only measure intended to be brought forward, or whether it was to be followed up by any other resolution ?

The Marquis having replied, that at present he knew of none. Mr. Fox observed, that granting this to be the case, he for one, saw no objection to it, and should not trouble the house with any arguments against it ; since, subsequently to the passing of the motion, it would prove fully competent for Mr. Burke or any other manager to repeat the same expressions. Mr. Pitt followed.

Mr. Sheridan said, that he certainly had declared in Westminster Hall, that he thought the execution of Nundcomar a foul murder. Would any gentleman who had read the trial, or would the right honorable gentleman opposite to him stand up and declare that he was conscientiously convinced that he ought to have been executed ? If the house commanded him not to allude to the transactions in question, he should certainly pay obedience ; but if it did not, he should think that he deserted his duty if he omitted to charge Nundcomar's execution as a murder.

Mr. Fox said, that he felt himself justified in still persisting to declare, that he would call Nundcomar's execution a murder, unless the house told him to the contrary ; and that the managers, he contended, ought to be enabled to understand explicitly what the motion meant.

The Marquis of Graham said, that he had not wished to act otherwise than delicately to the managers ; but the debate had changed the face of things ; and since they insinuated that they could not go on without getting themselves into considerable perplexity, because the

motion did not condemn the words already spoken, he would move an amendment, to remove that objection. The Marquis then added to the motion these words, "and that the words of the right honorable Edmund Burke, one of the said managers, viz. he (meaning Warren Hastings, Esq. murdered that man, (meaning Nundcomar) by the hands of Sir Elijah Impey, ought not to have been spoken."

This produced another long debate, in which Mr. Fox endeavoured to prove both the relevancy of Mr. Burke's words, and the impropriety and injustice of the interference of the house; and was answered by Mr. Pitt and Colonel Phipps. The house at length divided; when there appeared for Lord Graham's motion 135; against it 66.

MAY 6.

COUNTY ELECTION BILL.

Mr. SHERIDAN said, that notwithstanding it was too evident that the county election act, in operation and effect, had been found to be productive of great inconvenience, and therefore must, he feared, be repealed; he gave the noble lord who introduced it full credit for the goodness of his intention, and the just and constitutional principle on which it was founded, as indeed every bill was likely to be which came from the hands of the noble lord in question. But it was highly necessary that some bill should pass to regulate and ascertain the right of voting, since it was well known that committees of that house had not only decided differently, in respect to the right of voting, but that two committees, who had tried the merits of a petition complaining of an undue election for one and the same county, had given decisions diametrically opposite to each other. Mr. Sheridan declared, that he highly approved of the honorable gentleman's idea of a committee being appointed to enquire into the laws of election, as they stood at present; and he trusted that, at the present advanced period of the session, all possible expedition would be used.

MAY 20.

MOTION BY MR. MAINWARING FOR LEAVE TO
BRING IN A BILL TO EXPLAIN AND AMEND
THE ACT ON 6 GEO. III. CAP. 36, RELATIVE
TO TREES, SHRUBS, PLANTS, &c.

Mr. SHERIDAN expressed his pleasure at perceiving that the honorable member was inimical to the extension and increase of the penal laws. There were so many of those statutes, and in several cases they were carried to so extreme a degree of rigour and severity, that they proved a disgrace to the laws and to the country. He hoped, therefore, that the house would always look with a peculiar degree of delicacy on every endeavour to increase the number of penal statutes, and to multiply robberies, felonies, and offences coming under those descriptions. With regard to the object of the honorable gentleman's proposed bill, he did not clearly comprehend it. The honorable gentleman had said, the legislature, when it passed the act of the 6th of the present king, had one thing in their contemplation, and had enacted another. Was the fact strictly correct, or was it under the pretence of protecting nursery grounds to make it felony in a school-boy to rob an orchard; or was it that gooseberry bushes ought to be fenced round with gibbets, that the honorable gentleman now moved for a bill of amendment? If it were intended to go to such an extent, it would be carrying the penal laws to a ridiculous degree of rigour.

The house divided; ayes 30; noes 6. Leave was therefore given to bring in the bill.

JUNE 10.

WAYS AND MEANS.

Mr. Pitt entered into a state of the finances of the country, and spoke at considerable length.

Mr. SHERIDAN rising next, observed, that in the case of a statement by which the public prosperity was to be estimated, it became so natural to wish to realise the favourable expectations which might be entertained of the situation of the country, that it was a task extremely painful to raise any dispute, or even to insinuate any doubts which might tend to remove the grateful delusion. Upon an occasion like this, however, it was impossible to be silent; and, therefore, he should think himself warranted in making a trespass upon the attention of the house. Certain propositions had been made by the Chancellor of the Exchequer in the course of his speech, and it would be very easy for him to lay down other propositions which would entirely contradict them; but this would be going upon grounds too loose for the house to form any judgment of the merits of their several affirmations, which could only be established by a reference to authentic documents. To these he was willing to refer himself; and it would be a test of sincerity in the Chancellor of the Exchequer, much to be wished for, if he would submit himself to the same trial, and would not oppose any motion which he should make for the production of such papers as would affirm or disaffirm, by an irresistible authority, what they could severally advance in opposition to each other. Superficial and slight indeed was the manner in which the right honorable gentleman (Mr. Pitt) had condescended to justify the loan he had proposed. He had said little or nothing about what the house had a right to expect to be more particularly informed of; and he had scarcely shewn a cause of any kind, much less a sufficient cause, why the nation should be re-

duced to the unexampled dilemma in time of peace, and amidst all the triumph which they had been used to on the part of the right honorable gentleman, in respect to the flourishing situation of our finances, of encreasing the national debt, of creating fresh funds, and levying fresh taxes. But the right honorable gentleman had not withheld every kind of information; he had descended to little particulars, and had been very elaborate and ingenious in explaining the nature of the loan, and in telling them of things which it was of very slight importance whether they were or were not as he represented them. Where the argument of the right honorable gentleman was not in its nature unimportant it was fallacious. Admitting that the revenue was likely to come up to what it had been asserted that it would reach to, (and even this required some concession) was it reasonably to be expected that the expenditure was not to exceed what it had been stated it would be? If the expenditure should exceed what it was stated at (and experience had demonstrated that it would exceed that sum) it was a plain case that we were deceived in our expectations, and that our finances were not in the condition they were represented to be. The right honorable gentleman had given us a very pompous account of the unforeseen contingencies of expense which had happened, by which means he had failed in the promises he had made. These unforeseen contingencies, however, upon the fullest statement which could be made of them, amounted only to 600,000*l.*; but 600,000*l.* divided among three years, which is the time from which the reduction of the national debt was to be computed, left only an excess of 200,000*l.* for each year of unforeseen expenditure, beyond the natural expenditure which was necessarily to be expected. So paltry an increase as this was to defeat and annul all the high-sounding promises of the right honorable gentleman, and to reduce us to the necessity which we now find ourselves in, of

creating fresh debts, instead of paying off those which had been already created in the course of a long and expensive war. In like manner as this 600,000*l.* had arisen during the last three years from unforeseen contingencies, so from the analogy of the thing it was to be presumed that another 600,000*l.* from unforeseen contingencies would arise in the time to come ; and in the same manner as we have been prevented hitherto from emerging from our unhappy situation, by the unforeseen contingencies which have already arisen, so in time to come we shall be continued in the same depression of circumstances, from the unforeseen contingencies which will yet arise, more particularly since the sum is so trifling which is to embarrass us. The right honorable gentleman had amused us, by informing us that we have paid off three millions of the national debt : but he did not think it suited his purpose to inform us that in the year when we first began to pay, he had created a new debt of a million, by issuing exchequer bills to that amount ; and that this year we are creating another new debt of a million. He did not either bring into his estimate about two millions, which we have received during this time from the East-India Company, and otherwise, in accidental aids, and surely no inconsiderable aids ; still less did he think proper to mention an increase in the navy debt to the amount of 500,000*l.* If the right honorable gentleman had stated all the circumstances, it would have appeared that, with the assistance of more than four millions, he had succeeded in the very notable attempt of paying three millions of national debt. But the time must come when the bubble would burst, and our illusions be dissipated. It was better to meet our situation fairly and honorably ; by postponing the evil day ;—our distress would only accumulate ; and when we expected to drink of the cup of gladness, we should find nothing but the bitter dregs of disappointment.

Upon such an occasion as the present, Mr. Sheridan remarked, he should yield to what he considered as the indispensable necessity of moving for certain papers; and that the house should go into a committee to consider the same. He hoped that if his motion was acceded to, it would be a committee, and such a one as might easily be obtained in that house, of independent members taken indifferently; and not such a committee as made the report, upon which the Chancellor of the Exchequer had founded his argument, in his own favor, upon more occasions than one; and from whence he had derived his principal illustration. Making this remark, he could sincerely add that he neither felt a wish to have that committee discharged, nor meant to call in question the independency of their minds, and the purity of their intentions.

JUNE 11.

WAYS AND MEANS.

Mr. Gilbert reported eighteen resolutions agreed to in the committee of ways and means. The report having been received, Mr. Pitt expressed the satisfaction with which he now found it admitted, on all hands, that the income of the country was greater than the amount at which it had been estimated by the committee of finance in 1786. This was a point gained; and gentlemen who had been among the foremost to deny the probability of the public income arriving at the amount of the given estimate for the year 1790, were now contented to resort to single questions, which were easily answered. The business would daily prove less intricate; and as the honorable gentleman opposite to him had, in his remarks the preceding day, himself admitted that the income had so increased, [Mr. Sheridan looked as if he thought the conclusion not just] though, by his gesture, he seemed now to deny it; all that remained for him to say was, that notwithstanding it was impossible for him to answer for the unforeseen circumstances which might arise to prevent it, there was every reason to believe, if matters went on in their ordinary course, that the expenditure would be reduced to that level.

Mr. SHERIDAN observed, that aware that assertion on the one side, contradicted by assertion on the other, could prove nothing; he really had not

the smallest inclination to have spoken that day, until the right honorable gentleman thought proper to deduce an argument from his gesture. He begged the right honorable gentleman to understand that he was by no means ready to admit, that the public income had increased beyond the estimate for the year 1790, given in the report to the committee of revenue of 1786; and upon taking the public income upon an average of three years back, he believed it would be found the fact was, that it had not arrived even to the level of that estimate. When the right honorable gentleman then stated his expectation of extraordinary resources, he had declared what he was not less willing to declare at present, that the right honorable gentleman had over-rated them; and if he came then to borrow a million, it proved that he did over-rate them at the time in question. The right honorable gentleman had taken notice of his gesture; he was sorry he had used any, as it had brought on a discussion which could answer no end. Yet, upon the preceding day, less than a gesture had been converted into an argument;—his silence had been construed as an admission of the facts as stated by an honorable gentleman opposite to him, and the Chancellor of the Exchequer, who had both directly contradicted him respecting his assertion, that in 1786 a million had been borrowed by exchequer bills. The right honorable gentleman had, in lofty language, and with a degree of petulance, denied that he borrowed the million, since the report had been made by the committee of finance. In fact, the right honorable gentleman seemed extremely sore upon the subject.

Here Mr. Pitt and other gentlemen sarcastically smiled.

Mr. Sheridan said, if the right honorable gentleman had no better resources than in the smiles of his friends, he was poorly off; but neither laughter nor sneers should prevent him from asserting that

his silence did not prove him in the wrong. The fact was, as gentlemen might recollect, in 1785 the Chancellor of the Exchequer took credit for two millions of exchequer bills, and declared at the time, that probably he should not have occasion for more than one million; in which case, the bills for the second million should not be issued. It turned out that only one million was issued in 1785, and in 1786 the Chancellor of the Exchequer so stated it, and made the second million a part of that year's ways and means. The million had, in substance, if not precisely and strictly, been borrowed since the report had been made by the revenue committee. There was one material part of his speech the preceding day, Mr. Sheridan said, of which the right honorable gentleman had not thought proper to take the smallest notice, and that was, his proposition for the appointment of an impartial committee to examine the public accounts, and make their report upon them. He had himself expressly declared, that he would not enter into any discussion of the subject upon the preceding day, because the debate which must have arisen would only have consisted of assertion on one hand, and denial on the other, without the possibility of affording conviction to any; and because it would not have been in their power to come at any thing like proof, for want of proper papers to refer to. The right honorable gentleman had chosen to understand him, the preceding day, as if he had meant merely to move certain resolutions; whereas the appointment of a fair committee was his object; and if such a committee were appointed, it would be for the committee to examine the public accounts; and he was sure it would end in a complete detection of the delusion and fallacy of the right honorable gentleman, and a full justification of what he had advanced.

Mr. Steele repeated his assertion that the additional million of exchequer bills was borrowed in 1785, and not in 1786.

Mr. Sheridan answered, it was true that the exchequer bills were voted in 1785, but they had not been added to the debt till 1786. The miserable quibble under which the fact was attempted to be concealed was this: in 1785 the Chancellor of the Exchequer obtained a vote for two millions of additional exchequer bills, one million only of which (he had said) it was probable would be wanted; but it would be proper to have the other million as a reserve, in case there should be occasion for it. One million of these bills was kept in reserve accordingly; they were unnecessarily issued in 1786, when the right honorable gentleman had resolved to bring forward his new plan of finances, and 700,000*l.* of them actually remained unissued when the report of the revenue committee was laid before the house.

Thus much, Mr. Sheridan added, that he felt himself obliged to remark, lest his silence should be construed into an admission of the right honorable gentleman's statement.

Mr. Steele observed, that the budget of 1786, and what then passed, had been so mis-stated and unfounded, that he could not sit quietly in his place and let it proceed without explanation. Mr. Steele then stated a narrative of what had fallen from the Chancellor of the Exchequer in 1786, when the system of appropriating a million had been first adopted: The most essential part of this statement was, Mr. Steele's reminding the house, that the Chancellor of the Exchequer had, in 1786, expressly said, that although he expected to find several extraordinary aids to enable him to go on with, yet that such extraordinary demands might occur, that he might have occasion for a loan of one or two millions: that he would put it off as long as he possibly could. That Mr. Steele said, was the fact, and therefore, there was no ground for charging his right honorable friend with any thing like a fallacy. Mr. Steele referred Mr. Sheridan and the house to the report of the Navy Board, on which the Revenue Committee of 1786 had built that part of their report, and thence they would see that the navy expenses had not increased beyond what might have been expected.

Mr. Sheridan declared, that he never heard any assertion with more astonishment than that of the honorable gentleman who spoke last. He gave

him as much credit as his recollection of a speech, delivered four years ago, could entitle him to; but, without putting his memory against the honorable gentleman's, it was utterly impossible that the Chancellor of the Exchequer could have come to the house with a speech to contradict the report of his committee. He averred that in that report there was not an idea thrown out about the probability of a future loan. Was it to be concluded that the right honorable gentleman (Mr. Pitt) could so far forget his object, as to say to the house, that perhaps he might want a small sum of a million or two, for the purpose of paying off three millions of the national debt? The right honorable gentleman himself admitted the increase of the army to be a permanent expense. He believed the navy establishment could not be diminished with a due regard to the safety of the country; but on that subject it was not his intention to argue at present, if the right honorable gentleman did not oppose his motion for appointing a committee of the house, of a different complexion from the former. They could have the best information from Sir Charles Middleton. He added, that he would either on the morrow or on Monday move for some papers which were necessary to be submitted to that committee.

The Marquis of Graham imputed much of the misconception which appeared to have prevailed, to gentlemen confounding the statements of the two last years expenditure and income, with what the Committee of Finance in 1786 had reported would be the state of the income and expenditure at the end of the year 1790. The Marquis stated what the committee of 1786 had considered as likely to be the peace establishment at the end of the year 1790, and what had been the conduct of his right honorable friend at the time when the report was made. He animadverted on the novel idea of a committee constituted like that which an honorable gentleman (Mr. Sheridan) had described, of such as had neither been in office, nor had any expectation of being in office, nor desired to be in office. The members who were on that committee ought (the Marquis conceived) to be sworn previously to their sitting as committee-men, as to the extraordinary fact of their never desiring to be in office.

Mr. Sheridan observed, that he could not avoid admitting the pleasantry with which the noble marquis treated his proposition for an independent committee. Notwithstanding the noble marquis had humorously said, that the members nominated on such a committee should swear, that they did not wish to be in office; yet he had no doubt there were gentlemen in that house, who neither were in office, nor wished to be in office; and who were competent to the business in question. Did the noble marquis mean to intimate that there were no gentlemen in the house, excepting placemen, who were capable of examining and stating the resources and expenditure of the national finances? He did not say the same committee had wilfully deceived the public; but their conclusions certainly were not justified by experience; and therefore he thought himself at liberty, without meaning to throw the smallest imputation on any member of that committee, to move for a new inquiry into the state of the public accounts.

The Marquis of Graham defended his animadversions on the committee, by urging the extreme novelty of the formation of such a committee; and he considered the proposition of such a committee as an indirect imputation on gentlemen in office;—the obvious inference being, that they would abuse the trust which might be reposed in them by the house, and report what they did not believe to be the fact. Such an imputation the Marquis considered as derogatory to the dignity of the house: and he declared that he felt it to be injurious to himself.

Mr. Sheridan protested that he meant nothing coarse or personal, and denied that it was a novel thing to have such a committee. As a proof of this, he mentioned a committee which had been appointed during the American war, and consisted chiefly of country gentlemen. He did not like to have such another committee as that of 1786, because, though he did not mean to charge them with having done so intentionally, he was of opinion they had deceived the house and the public. With regard to a committee of gentlemen in office, Mr.

Sheridan thought they were liable to be less careful in their inquiry after the truth, from a natural wish to find the most favorable side of the question to be the fact, than any other set of gentlemen.

The question was at length put, and the resolutions read a second time, and agreed to. Mr. Pitt gave notice of his intention to move the house on the 15th to go into a committee, to consider the duties payable on tobacco.

Mr. Sheridan wished to know whether it was Mr. Pitt's intention on that day, to move any final resolution on the subject. He really thought that in a question of so much importance, at least as much previous notice should have been given to the merchants and manufacturers of tobacco, has had been given to the dealers in wine, when it was put under the regulation of the excise laws.

Mr. Pitt answered, that it was his intention, on the 15th, to state the grounds on which the proposition he had to bring forward was founded; and afterwards to move the committee to agree to it.

JUNE 19.

REVOLUTION COMMEMORATION BILL.

Mr. SHERIDAN observed, that an honorable baronet (Sir William Dolben) disapproved of mixing politics with religion; and another honorable member's objection was, that there was already a commemoration of the Revolution, in what he called the Liturgy. This appeared rather a curious objection. With respect to keeping politics out of the church, he owned, that in one view it should be so; but, would it be an unfit thing for the church to acknowledge that obligation, which no man disputed to be very great and serious? He thought that if there was any one point which did the greatest honor to the church, it was the church's having been the chief cause of producing that very Revolution on which the bill went to establish the commemoration. The only objection which he had heard

against the bill, that was of any weight, was that of taking a day of the week for the commemoration, and making a new holiday; but as the honorable gentleman, who brought in the bill, had expressed himself willing to wave that point, and to take either the Sunday before the 5th of November, or the Sunday nearest to the 16th of December, no ground for opposition remained.

JUNE 24.

TOBACCO REGULATION BILL.

The order of the day for the second reading of this bill having been read, it was afterwards moved "that the bill be committed."

Mr. SHERIDAN observed, that he should not so far trespass upon the patience of the house as needlessly to prolong the debate, if that could be called a debate, where objections only were offered from one side, and not one word of answer was given on the other. He rose merely to make a single remark, which was, that if the bill was committed for the next day, whatever time might have been given to the tobacco traders and manufacturers to comprehend the clauses of the bill, parliamentary speaking, no time had been allowed to the members of that house to understand it. The bill had been brought in only two days ago, and printed for delivery that day; it consisted of one hundred and twenty-five pages, and no gentleman could, at a glance, comprehend the various bearings of a bill so important in its nature, and so complicated and extensive in its detail.— Before it came into a committee, the members of that house had a right to consider it, in all its parts, to consult the manufacturers in person, and to acquire a competent knowledge of the entire subject. The right honorable gentleman had boasted of his having seen and conversed with the tobacco manufacturers of Scotland, London, and other places. If he thought such communications absolutely neces-

sary, before he held himself justified in stating the principle and object of the bill to the house, why should not the members of that house be allowed time for equal preparation, and for the acquisition of the same extent of intelligence. Mr. Sheridan, therefore, hoped that the right honorable gentleman would not so hastily forward the bill, but, that having had it read a second time that day, he would not press for the committee upon the ensuing day; but would give time for the petitioners to prepare their counsel, and to bring up their witnesses, who were now upon the road.

Mr. Pitt said, that Alderman Watson and Mr. Sheridan had stated that the frauds committed on the revenue in the article of tobacco, amounted to no less a sum than from £300,000 to £500,000, and the object of the bill was, to endeavor to recover the greater part of that sum, by means of the excise laws, and by accommodating them to that article, which was universally admitted to be a fit article of taxation. To such a principle, the friends of the public credit and of the public safety, could not surely be inclined to object. The worthy Magistrate over the way, and the honorable gentleman who spoke last, had said, they thought that he wished to shrink from discussion, and to avoid it by precipitating the bill through the committee. From such an imputation he should appeal to the sober sense of the house, and ask them, when it was considered that counsel were to be heard, and witnesses examined, and that consequently there was not a probability of their doing more than hear them in part the next day; whether his being anxious to commence an enquiry into the subject in the most circumstantial and regular manner looked like a wish to avoid its fair discussion? With regard to the honorable gentleman's intimation, that it was necessary for him to run about the town to converse with the manufacturers of tobacco, if he really was in earnest, and seriously wished to learn information from them, the best mode of his obtaining it would be for him to attend his duty in that house the next day, and listen attentively to the arguments and the evidence.

Mr. Sheridan observed (in answer to Mr. Pitt), that he had said it was necessary to go into the committee for the purpose of enquiry, whereas he must know that if the members of that house were not allowed time to read and understand the bill before they went into a committee, the enquiry would answer no purpose whatever. Whether they were to run about the town after the tobacco manufacturers,

as the right honorable gentleman had chosen to call it, was another matter. But since he had risen last, the worthy Magistrate behind him had added another and a very strong objection; and this was no less than a defiance to any member of that house, a particular description of it only excepted, to stand up and declare that he had read the bill. Surely this was an unanswerable argument against precipitation.

Mr. Pitt answered, that with regard to the honorable gentleman's argument of members not being prepared, the best way would be to attend the committee. With respect to the witnesses of the manufacturers being upon the road, the manufacturers of London had originated the opposition to the bill, and would, most probably, produce the evidence they wished to have examined; and of their intention to oppose the bill, they had, by public advertisement, in almost every newspaper, given notice for full three weeks. He hoped that gentlemen would attend the committee, whatever inconvenience to themselves it might occasion; and indeed when the advanced period of the session was considered, he should think it trifling with the convenience of the house, by delaying the going into the committee with the bill a moment longer than was necessary.

Mr. Sheridan replied, that with regard to the convenience of the house, he thought the right honorable gentleman would consult it more by giving time for members to understand the bill. Mr. Sheridan was proceeding to answer Mr. Pitt, when he was desired by the Chair to confine himself strictly to explanation. Mr. Sheridan then said, that the right honorable gentleman had attempted to ridicule his explanation; to which, in explanation, he wished to state, that the right honorable gentleman's argument was perfectly ridiculous. [Here a great part of the house laughed.] Mr. Sheridan resumed his argument once more, and the house calling Chair! Chair! in which cry Mr. Pitt joined, and the Speaker thereupon again desiring that Mr. Sheridan would confine himself to explanation, Mr. Sheridan answered, that he would take care that in future the right honorable gentleman should be as strictly confined to explanation, when he

spoke a second time, as he had been. Mr. Pitt bowed, and sat down.

The bill was then ordered to be committed for the morrow.

JUNE 25.

REFORM OF ROYAL SCOTCH BURGHS.

Mr. SHERIDAN, adverting to the case of the royal Scotch burghs begged leave to remind the house that the bill for bringing in of which he designed to move was precisely of that nature which the house had given leave to have introduced in a former session of parliament ; and as he understood there was no objection to the principle of it, and that those who meant to oppose the bill, intended to make their stand at the second reading, it was unnecessary for him to trouble the house with more than a very few words, just to state that the conduct of the town councils of the several royal burghs of Scotland, as it now prevailed, was not more contradictory to their original charter than repugnant to every one of those principles of justice and propriety to which men, of a delegated trust, ought strictly to adhere. On the second reading of the bill he would fully state the objects of it, and the reasons why the means of attaining those objects which the bill provided, were by him deemed such as the house ought to adopt ; for the present, he considered it as sufficient to move,

“ That leave be given to bring in a bill for regulating the internal government of the royal burghs in Scotland.”

Mr. Dundas remarked that, reserving himself for a future opportunity, he should now only declare that whenever the honorable gentleman came forward with his reasons for thinking the bill advisable, and that it was becoming by one short clause to pronounce upon the constitutions of the royal burghs of Scotland, which had continued uninterruptedly ever since the year 1400 ; as what ought not to continue ; he would be ready to assign his reasons for differing totally in opinion from the honorable gentleman upon the subject. He

hoped, therefore, that the honorable gentleman would name a precise day for the second reading, and keep to that day when he had named it, that the bill might not be kept hanging in the wind as a matter IN TERROR.

Mr. Sheridan answered, that the right honorable and learned gentleman had no occasion to be in such very great haste, because he ought to recollect that they had waited a good while for him, while he was canvassing in Scotland.

REVOLUTION COMMEMORATION BILL.

Mr. Sheridan agreed completely with the honorable gentleman (Mr. J. H. Browne), that the fittest time to establish a commemoration of the Revolution was, when parties, otherwise opposite, concurred in endeavoring which should best commemorate that important event. But he differed from the worthy baronet (Sir Joseph Mawbey) in one respect, because, so far from thinking the gentlemen on the other side would not subscribe to their column, they reckoned on their subscribing largely, as they were ready to subscribe to their thanksgiving; but from what the honorable baronet had said in favor of their column plan, should there be a deficiency, they had now learnt that they might look up to him for large resources. With regard to the trouble the bill would give the parsons, when it was considered how essentially benefitted the church had been by the Revolution, it surely could not be improper to oblige the ministers of it once a year to put themselves, as well as their congregations, in mind of that event, from which the church had derived such very important advantages. As to whether the wording of the preamble should stand, as the amendment had been first proposed by an honorable gentleman near him, or whether it should run "That God's providence upon the virtuous efforts of our ancestors, &c. &c." Mr. Sheridan said, appeared to him to be a matter of immaterial signification; and the contending about

such a trifle, reminded him, if it were not thought too ludicrous a comparison for the occasion, of what Dogberry said in Shakespeare's play of "Much Ado about Nothing," when in the examination of Conrade and Borachio, he says, "Write God first; for God defend, but God should go before such villains."

The bill was directed to be reported on the 29th.

JUNE 26.

BILL FOR REGULATING ROYAL SCOTCH
BOROUGHES.

Mr. SHERIDAN brought in this bill for regulating the royal Scotch boroughs, which was read a first time, and upon motion ordered to be read a second time.

Sir James Johnstone declaring that much reform was wanted in Scotland, but in a variety of particulars that reform which the bill held out was needless; and, therefore, unless the honorable gentleman would say, that he introduced the bill merely to amuse the house, and did mean seriously to urge it, he would count the house.

Mr. Sheridan assured the honorable baronet, that he had not brought in the bill merely to amuse the house, but with a serious intention of endeavoring to get it passed into a law. He hoped, therefore, that the honorable baronet would not put an end to it, and interrupt the other important business of the day, by counting the house. If the worthy baronet could prove that the grievance complained of did not exist, let him come to the point, and do so on the second reading. The petitioners for the bill were ready to prove every fact which the bill stated as an existing evil.

Sir James Johnstone answered, that he understood it was not usual to put an end to a bill in the way that he had proposed; and, therefore, the honorable gentleman might continue to amuse himself and the house with the bill some few days longer.

TOBACCO REGULATION BILL.

Mr. Sheridan observed that, considering the greatness of the subject, it was extremely to be lamented, that it had been brought forward so near the close of the session, when unfortunately so much of the essential business of the session was before the house. In so thin a house, the bill could not meet the attention which its importance deserved; and, therefore, as gentlemen did not like the trouble of attendance to hear the examination of witnesses, he wished that the right honorable gentleman (Mr. Pitt) would allow the evidence of each day to be printed, day by day, that the members of the house might have an opportunity of knowing what passed, and enable themselves fully to understand the subject, before it became necessary to vote upon it.

Mr. Pitt admitted, that it would be exceedingly idle to attempt to pass a bill of such importance to the revenue, without endeavoring at least to have it perfectly understood. He had some doubt, however, as to the propriety of printing the evidence, day by day, because, as a good deal of new light was frequently obtained by cross-examination, it would not convey any complete information to the members, if the evidence of the witnesses was printed before they had been cross-examined. He had no objection to printing the evidence as fast as the examination of each witness was concluded; or so as to give very sufficient time for gentlemen to make themselves masters of it, before the report was made.

Mr. Sheridan answered, that the right honorable gentleman's mode of printing the evidence would equally satisfy him.

Some evidences having been examined, the house adjourned.

JULY 3.

NEWSPAPER DUTY BILL.

On coming to the clause restricting newsmen from lending out newspapers to read for hire, Mr. Pitt rose and supported it.

Mr. SHERIDAN considered it as a principle too erroneous to be introduced merely for the sake of an

advantage so extremely trivial. He was a friend to newspapers, not merely because they blazoned forth the virtues of the present administration, but because they proclaimed their actions. He was glad they would state that there was so thin an attendance when the most important business was before the house. He accused the Chancellor of the Exchequer as the cause of the thin attendance, by wilfully and systematically putting off the public business till that period of the session. The right honorable gentleman had said, that those who let out newspapers derived two parts of their livelihood from newspapers, the one for their loan, the other from their sale; and, therefore, the clause would not take away their livelihood. It would nevertheless take away one part of their livelihood. It was soothing one set of men for oppressing them, by oppressing another; and as the hawkers and pedlars were sacrificed to the shopkeepers, so now the newsmen were to be sacrificed to the newspaper printers. Mr. Sheridan declared himself against the tax itself, which he thought injudicious, because it would be unproductive. He lamented the abuse of the press, but thought that it should not be checked in such a manner. The laws of this country afforded every man who was injured by the press ample redress, and it ought not to be in the power of Ministers, by unreasonable impositions, to load it so, as effectually to prevent its exercise. The additional tax on advertisements was highly injudicious, and would prove a loss rather than an advantage to the revenue. It was not the casual advertisers, such as the want of a horse, the sale of a chaise, the loss of a watch, who were to be looked up to; but the staple advertisers, the auctioneers and booksellers? the latter allotted a given sum for advertising according to the price of the book; and if, by increasing the charge of each advertisement, the given sum would pay for so many advertisements short of what it would do formerly, the revenue

must, consequently, lose in proportion as the number of advertisements diminish.

Colonel Phipps having remarked, that if the honorable gentleman would take the trouble to read one of the newspapers of the ensuing day, he would perceive that his arguments had most of them been answered before he entered the house, and contended that the increase of duty on the advertisements would not decrease their number.

Mr. Sheridan answered, that he would certainly look the next day to that miraculous paper the honorable gentleman talked of, but he did not before know that the Hibernian journal was printed in London; and no other paper he should have conceived would have made him answer arguments which he had never heard.

The committee divided; ayes 29; noes 9.

JULY 6.

REFORM OF THE ROYAL SCOTCH BURGHS.

Sir James Johnson observed, that as the reform offered by the present bill was by no means wanted, he should object to its commitment. There were grievances in Scotland, but the constitutions of the royal burghs were not among the number. They had no militia, nor any trial by jury. If a man committed high treason, he must be tried by the Scotch laws, which were different, in several essential respects, from those of England. Another circumstance was with regard to the qualification of a justice of peace; in England, a justice must have a certain qualification; in Scotland, none was necessary; so that if a justice in England committed an innocent man to prison, he could obtain a remedy; in Scotland, no remedy could be procured. Sir James agreed with Mr. Sheridan, that every man who received money from the public, should be accountable for that money, and was willing to consent to that part of the bill. He spoke of the endless system of litigation under the Scotch laws, and mentioned a case that had been heard nine times over, and determined by the court of session; and after the ninth determination, an appeal was brought before the house of lords, which they reversed. Thus it followed, that few persons were likely to outlive their lawsuits, unless at the commencement of their litigations, they were in a state of vigorous health.

Mr. SHERIDAN declared, that he entertained so high an opinion of the benevolent and patriotic prin-

ciples of the honorable baronet, as to rest assured that he would not oppose any measure which he thought calculated to answer the end of civil liberty. The honorable baronet thought the grievances which the bill went to remedy, were only imaginary; but he had stated a variety of other grievances which he knew to exist with respect to Scotland in general; and which, instead of being an argument against the bill, afforded a strong presumption, that the grievances of which the promoters of the bill complained existed also. He hoped, therefore, the honorable baronet would suffer the bill to go to a committee, where alone he could be satisfied by proof, that grievances which he conceived to be imaginary did exist, and called loudly for redress.— Before entering on the bill, he would say a few words of the petitioners, and the manner in which they had proceeded. The business had been taken up, four years ago, by persons of the first credit and respectability in the different boroughs; and conducted since that time with peculiar temper and perseverance. They had corresponded, they had met and consulted on the most constitutional mode of applying for redress; they had resorted to no improper or inflammatory means. This, surely, was not the conduct of bad subjects, or men who were enemies to regularity and good government. Of fifty-six boroughs, fifty-two had concurred in the application to parliament; and of these, all the burgesses, but those who were in the practice of abuse, and derived a benefit from it. Their petition, signed by nine thousand persons, certainly proved that they complained justly, and they wished only for an opportunity of substantiating their complaints. The first object of the bill was, to provide a remedy for the want of a judicature, before which the magistrates should be compelled to produce their accounts; and the second, was to prevent the magistrates from electing their own body, one set at present chusing another in regular succession. The

consequence of this abuse was a waste of public money, an oppressive exercise of usurped power, and arbitrary impositions arbitrarily levied by imprisonment and other penalties. These were natural consequences. Whenever there was power without responsibility, there would be abuse. This was the ordinary course of things, and he wished it not to be otherwise, but to stand as an important lesson to mankind, not to grant power, without establishing the means of punishing the misuse of it. On this obvious principle, the abuses in the internal government of the Scots boroughs were easily traced to their source; the perpetuity of the same junto of magistrates, and the burgesses having no means of redress or control. Forty of the charters, copies of which were before the house, contained clauses favorable to the rights of the burgesses, and only five to the assumed rights of the magistrates; therefore, no innovation was proposed. The charter of Stirling had been newly modelled by Mr. Dundas, in the manner which he conceived to be most advantageous. The plan established for Stirling was very nearly the same with that now proposed for the other boroughs; and what the learned and right honorable gentleman had thought good for one, he must, if he acted consistently, approve of for the whole. He was ready to make out as strong a case, and to prove abuses as flagrant as had been the ground of reforming the borough of Stirling. The honorable baronet had admitted, that the magistrates ought to account for the public money; yet, there was no judicature before which they could be called to account; neither by the Court of Session, the Exchequer, nor the Convention of Delegates. The latter, indeed, would be a very imperfect remedy, if it existed; for, it was not to be supposed that those who were in the practice of abuse themselves, would be very ready to pronounce against those who were similarly accused. To prove that the Exchequer had no juris-

diction, Mr. Sheridan read an opinion of the court, solemnly disclaiming it on a case brought before them; and declared, that he was ready to join issue with those gentlemen who opposed the bill, on the single point, that no competent judicature to that effect existed in Scotland. It was not necessary to waste time in debating on the subject; gentlemen might make themselves masters of it, by reading the publications respecting it, which were written in a very able manner on the part of the reformers, and had not been, in any degree, answered by their opponents. These not depending on hypothetical argument, but founded on facts, and confirmed by proofs, would convince any person who took the trouble of perusing them with attention, that the grievances complained of were not imaginary, and that the remedy proposed was not an innovation, but agreeable to the ancient rights and privileges of the boroughs. Was the case otherwise, it would become the wisdom of parliament to extend to Scotland those advantages of the constitution of England, which it did not possess by its own.

Sir James Johnson observed, that the Court of Exchequer found that it possessed no jurisdiction over the boroughs, by a majority of one judge only, after exercising it two hundred years.

Mr. Dundas remarked, that the honorable gentleman who had taken upon himself the task of reforming the royal burghs of Scotland, had lately argued the impropriety of bringing forward business of public importance at so late a period of the session. On this ground, he took it for granted, that he was not serious in the proposition he had submitted to the house; and that the grievances complained of were not of such an important nature, as to claim much of the attention of parliament. It was not a little remarkable, that though there appeared, occasionally, a considerable difference of political opinion among those gentlemen who represented the northern part of the kingdom, yet, none of them could be found to espouse the cause of reform; but forgetting the animosities of party, they had confederated for the purpose of oppressing the poor burgesses of Scotland. The honorable gentleman (Mr. Sheridan) had therefore been selected as the champion who was to rescue them from the oppressions under which they had so long laboured; but, as he could not acquire his knowledge of the subject from local acquaintance with the country, a long catalogue of their supposed grievances had been

published for the honorable gentleman's information; and he now came forward with one simple proposition, the object of which was to overturn and repeal the whole constitution of the royal burghs of Scotland, established for four hundred years.

Mr. Sheridan requested the indulgence of the house, while he made a few observations on the very unfair and illiberal manner in which the right honorable and learned gentleman (Mr. Dundas) had argued the question. Mr. Sheridan here emphatically said, that as he intended, on a future occasion, to adopt the idea suggested, of moving for a committee of enquiry, he would not then insist on dividing the house; but he would assure the right honorable and learned gentleman, that relying on the ability, the spirit, and perseverance of those who did him the honor of entrusting their cause to him, no exertion of his should be wanting to accomplish the great object which he had in view. The right honorable and learned gentleman had, very uncandidly, thrown out hints, as if he was not serious in the cause; and that he had taken it up for no other reason but to court popularity. It had been the usual language of that house to impute no other motives to gentlemen, than what their actions justified. Perhaps, the right honorable and learned gentleman judged of him from his own practice. He assured him, however, that he was not ambitious of having statues erected to commemorate his labours; but he should always lend his aid to the removal of oppression, come from what quarter it might. It would be a fortunate circumstance, if the right honorable and learned gentleman, as the Minister of Scotland, enjoying as he did the confidence of the right honorable gentleman (Mr. Pitt), would employ a little of his influence, in endeavouring to extend the blessings of civil liberty, instead of parliamentary jobbing and political intrigue. Mr. Sheridan admitted that the business of the reform had been delayed to a later period of the session than he could have wished; but if from that

circumstance the right honorable and learned gentleman argued that he was not serious, what opinion must he entertain of his right honorable friend near him, (Mr. Pitt), who, at the same period of the session, had brought forward a subject of so much magnitude and importance as a general excise on tobacco? To those who contended that the grievances of which he complained were imaginary, the best answer he could give was, that all he desired was to be permitted to go into a proof of them; and for that purpose, if it was judged too late to undertake it in the present session, he certainly would bring forward that question early in the next. As to the parliamentary reform, to which the right honorable and learned gentleman had alluded, he ought, with one Zeno, to have mentioned one William Pitt, and one Duke of Richmond, advocates for that salutary measure. The case of the burgh of Stirling, Mr. Sheridan considered as an unanswerable argument in his favour; and if the right honorable and learned gentleman had no desire to enquire into the success of his own good works, he would venture to inform him, from authority, that the town of Stirling, in its trade and manufactures, had still the benefit of its new constitution, and it comprehended nearly all that he desired. He was not surprised that he should object to annual elections; he believed that it would be more consonant to his political opinions, if the magistrates and councils were to be elected for life; and to prevent that dissipation and debauchery which he had mentioned as the evil consequences of a general election, he had not a doubt, but to obviate these evils he would give his consent to a perpetual parliament. As to the annual amount of the revenues of the burghs, though one hundred thousand pounds might not appear to be a very large sum in the eyes of the right honorable and learned gentleman; its amount and value ought to be estimated from its relation to the general source of the whole, and in proportion

as they were scanty, that, in his opinion, was an additional reason to put an end to the abuse and mismanagement of the little they possessed. The right honorable and learned gentleman was mistaken, if he imagined, that because he opposed the bill, he should have the members for Scotland on his side. He was happy to find the sentiments of many of those gentlemen favorable to the bill, and he had not a doubt of their support. Mr. Sheridan said, that in alluding to the annual convention of delegates he did not mean to reflect on any of them individually; but as that assembly was chosen by those who were accused of delinquency, they, by having a common burgh interest, were certainly not the fittest persons to enquire into abuses, which it was their interest to conceal. He concluded with declaring his sincere conviction of the truth of every fact he had stated; and if on a future day, he should be so fortunate as to prevail in the cause which he had undertaken, that day he should consider as one of the proudest and happiest of his life.

Mr. Dundas answered, that when the honorable gentleman first mentioned to him his intention of moving the bill, he had informed him he should oppose it, on account of the irregularity of his bringing in a bill, without having a previous committee to enquire into the facts complained of. The honorable gentleman had told him, that it would not be candid in him to take that line of objection; when he had replied, that he certainly should, and he had now opposed it accordingly.

The question for committing the bill was negatived without a division.

JULY 10.

MOTION FOR A COMMITTEE OF FINANCE.

Mr. SHERIDAN now rose and introduced the points which led to his intended motion for a committee of finance, with the remark, that considering the importance of the business, on the discus-

sion of which he was about to enter, he felt that he ought to have submitted it to the house at an earlier period of the session, when a fuller attendance of members might have been expected; and those who did attend, might have been more disposed to bestow on it that degree of attention, which an inquiry of so much importance to themselves, their constituents, and the nation at large, demanded. That he had not done so, was owing to a right honorable gentleman, (Mr. Pitt) who, according to his usual custom, had deferred opening the budget, till a period of the session, which he thought likely to render any subsequent examination of his own statement of the finances impracticable. After this and other necessary steps of moving for papers and accounts had been taken, yesterday was fixed on as the day; and he had come down with his head full of figures a few minutes after four, but, unfortunately, the Speaker had entered into a previous calculation; and finding a deficit of members, a deficit which he could not help thinking ominous of a deficit in the finances; he executed his duty, and adjourned the house. The surplus of members, now he was speaking, was not great—he was afraid the surplus of the revenue would be less. By the delay of a few days, which he had agreed to, that the Chancellor of the Exchequer might not be deprived of the assistance of his right honorable friend (Mr. Grenville) who had been chairman of the committee of accounts in 1786, some advantage had been obtained, inasmuch as it had given time to move for additional papers to correct the errors of those for which he had formerly moved. He could not, however, see the reason why the Chancellor of the Exchequer should have been so anxious for the assistance of his right honorable friend, since any other member of the committee might have been able to explain and defend the report; and since the Chancellor of the Exchequer himself, who had adopted the princi-

ples and the calculations of the report, might have been supposed to be fully master of what he had thus made his own, and capable of refuting any objections that could be urged against it. Had the budget been opened, as it certainly might have been, before the Speaker was voted into the chair, the Chancellor of the Exchequer must have been deprived of the assistance of his right honorable friend, who must have remained mute and immoveable in the chair, like a magician tired of his own spell; without the power of succouring his friend, whatever might have been his distress, or however loudly he had invoked his aid. The right honorable gentleman was now advanced from the dignity of Speaker, to quote the language of a noble marquis near him, to the higher dignity of Secretary of State; and not only to that, but also to the post of Deputy Chancellor of the Exchequer. His right honorable friend, taking example from the University which he represented, conceived there ought to be a Chancellor of the Exchequer to enjoy all the honor and the patronage of the office; and a Vice-Chancellor, to take upon him the labor and the drudgery of investigating accounts. Much as he respected the abilities of the right honorable gentleman who had been so earnestly called to office; he was not afraid to encounter them on the present occasion. Standing as he did on figures and fair indisputable calculation, he dreaded not the opposition of the first abilities, whether separate or conjoined.

Upon this occasion, he should assume as a leading principle, what he supposed would not be denied;—that the state of the finances ought to be fully examined and fairly made known to the country; that in order to confirm in the minds of the people that confidence in the legislature, which alone could make them cheerfully submit to the burdens imposed upon them, they ought to be made acquainted with the full extent of the public

debt, revenue, and expenditure; and, instead of being imposed by flattering prospects and temporizing projects, have their true situation, at once, laid before them. If it should be maintained that there ought to be delusion, that the people, to be induced to bear, must never be permitted to judge; what he had to offer would be impertinent. But if it was once admitted there ought to be a public investigation of the public revenue, there could be no difficulty in repeating that sort of inquiry which had been made before; examining how far former calculations had been verified by experience; and making, if necessary, a new statement of the public resources, and the public expenditure. He did not propose to do this, because, he thought the result of the enquiry would afford cause for despondence. The resources of the country, he was persuaded, were more than equal to its burdens; the only danger was in shunning enquiry, in endeavoring to gloss over the one, and neglecting to draw forth the other. He did not mean to ascribe the least blame to the Chancellor of the Exchequer, for endeavoring to begin the liquidation of the public debt in 1786; what he blamed was, that when he came to wind up the expenses of the war, he had not fortitude and candor to state the account fairly. At the end of a war, which, though expensive and partly unsuccessful, had been glorious—which had displayed the power and resources of the nation—which had exhibited it contending against the united force of France, Spain, and Holland; repelling their attacks, and scattering their fleets; the people had intrepidity and patriotism enough to look their true situation in the face, and to submit to taxes necessary to maintain a peace establishment, pay the interest of their debts, and provide a surplus for their gradual liquidation. But when they found, after being told that they had such a surplus, and after four years of profound peace, that instead of reducing their expenses, they

must bear new taxes to pay the interest of fresh loans—they must lose all confidence in the right honorable gentleman, in whom their confidence had been so gratuitous and unbounded—they must lose all confidence in the government—all confidence in their own representatives, and look upon themselves in the light of being deceived, and oppressed. Granting that a change of administration had taken place, on an occasion when, they all recollected, it was generally expected;—what would have been the effect of this deception?—The people had been told that they had an annual million surplus; they were incessantly told, he would not say from authority, but by all the ministerial prints, that they might look for another million surplus; and the delusion was still further increased by the minister himself, who had repeatedly said, that an extraordinary, and unforeseen expense of 600,000*l.* would be defrayed without any extraordinary supply. This sum, in four years, was only 150,000*l.* a year; and to compare the revenue of a nation, with that of an individual;—if a person, with an estate of 16,000*l.* a year, should not be able to bear an unforeseen expense of 150*l.* a year, his expenses must be very ill accommodated to his income, or he must be a very bad economist. Such, however, was the case:—when the Chancellor of the Exchequer stated this sum as part of the expenses of the year, he had never said that an extraordinary supply would be wanted on account of it. On the contrary, he had remarked, he was happy to find that no extraordinary supply would be necessary; which meant, if it meant any thing, that the revenue was sufficient to provide for this sum and the surplus million also. Suppose then a change of ministry to have taken place, the Duke of Portland to have been appointed First Lord of the Treasury, and John Cavendish to have testified his zeal for the public service, by undertaking the office of Chancellor of the Exchequer, and to have come to par-

liament to propose a loan for this extraordinary expense, and taxes to pay the interest, as his first official act; what would have been the consequence? Nothing would have been heard but clamor.—“Mr. Pitt,” it would have been echoed from one end of the kingdom to the other, “kept up public credit, and provided a surplus; these men borrow money, lay taxes, and squander the revenue by anticipation.” Had they done what it would have been their duty to do;—had they stated, once for all, the true situation of the finances, borrowed whatever sums it might have appeared necessary to borrow, and imposed taxes to pay the interest; the clamor against them would have been much greater. Had they done, on the other hand, what some people would have thought more for their own convenience; had they temporized with the state of the finances; had they eked them out by expedients, and thereby continued the delusion; the deception must have gone on till it was too gross to be concealed—the bubble must have burst at last, and all confidence in parliament would have been lost.

After this exordium, which Mr. Sheridan contended was not extraneous matter; he stated the four propositions, in fact, founded upon the report of the select committee. They were in substance as follows:—

That the report of the committee, appointed in 1786, to examine and state the several accounts relating to the public income and expenditure; and to report the probable amount of the income and expenditure in future, does not appear to have been founded in fact, nor verified by experience.

That for the three last years, the expenditure has exceeded the income two millions, and may be expected to do so for three years to come.

That no progress has hitherto been made in the reduction of the public debt.

That there is no ground of rational expectation,

that any progress can be made without a considerable increase of the annual income, or reduction of the expenses.

The first circumstance to be considered was—Did the report of the committee, and the Chancellor of the Exchequer, who adopted all the calculations and all the reasoning of that report, hold out the expectation, that after 1786 there would be no necessity for a loan? An honorable gentleman (Mr. Steele) had asserted, on his recollection, that the Chancellor of the Exchequer did not thus calculate and reason; but that he stated the probability of a loan of one or two millions. Mr. Sheridan contended, that the right honorable gentleman had asserted that he would, by taxes, and regulations of taxes, make the revenue equal to the expenditure, including the million surplus for the reduction of the public debt. He would not, however, argue from memory, but refer to the internal evidence of the report. The report stated what might be expected to be the amount of the annual income and expenditure; also what might be expected to be the amount of the extraordinaries: not, indeed, of the army, the navy, or the ordnance, (these were beneath the notice of the committee) but of the miscellaneous services. They had erred, however, in their calculations, as appeared by the event, to the amount of 600,000*l*. The report next stated the extraordinary means; and on a comparison of the one with the other, concluded with this observation:—Upon the whole, your committee conceive that the means of defraying the expenses exclusive of the average income above stated, may be expected to be sufficient for the purpose.” In considering the extraordinary means, the committee had, moreover, adverted to a loan, although they had computed the extraordinary services, till the year 1790, at three millions, which, he contended, would amount to twelve; and having adverted to it, had stated their reasons for thinking it would not be

necessary. It was, therefore, obvious, that after having had it in their contemplation, they had laid aside the idea of a loan, when they stated the extraordinary receipt as equal to the extraordinary expenditure. Of these fancied resources, the crown lands and unclaimed dividends had produced nothing. He did not mean to argue that they ought to have been productive, but only to blame the fallacy of holding forth visionary ideas of revenue, and calculating on them as real. The concluding paragraph of the report went still farther:—it stated, that the then subsisting taxes, if the due collection could be enforced by means adequate to the purpose, would probably afford an ample provision for any deficiencies which might at any time be found, either in the extraordinary resources, or in the particulars which compose the general income of the public; and would insure a permanent annual surplus, applicable to the reduction of the national debt. There was not only provision for all extraordinary expenses and unforeseen deficiencies, but an exuberance of revenue; after stating which, it was impossible that the committee could have held forth the idea of a loan, or that the Chancellor of the Exchequer, when he adopted the report throughout, could have said that a loan to any amount was probable. A loan, however, had actually taken place, and so far the calculation of the committee had failed.

The committee had estimated the annual income, exclusive of the land and malt tax, at 12,794,471*l*. The Chancellor of the Exchequer had stated it, for the last year, and as what it was likely to amount to in future, at 13,007,642*l*. and had asked him, with an air of triumph, if he did not admit that the estimate of the committee had been, not only verified, but exceeded?—Had this been the fact? the produce of the first year, after their calculation, had fallen 300,300*l*. short of it. He was aware he should be told this had been an extraordinary

year, and that the customs had fallen short on account of the commercial treaty being then in agitation. This was a fair argument with regard to that year: if it was improper for him to argue from a year particularly unfavorable, so was it for the Chancellor of the Exchequer to calculate on any one year particularly favorable. The committee had turned their backs on an average of several years, which was the only true ground of estimate; and the Chancellor of the Exchequer rested his estimate on the produce of the last year. Rejecting an average, was the blunder of the committee; and the Chancellor of the Exchequer now copied their example. They calculated on another; and both of them were favorable. If they meant to take an average of two years only, the year preceding and the year following the commercial treaty, were the proper years; because as much as the customs were injured by the expectation of it the one year, so much would they naturally be increased the year after it took place; as every man who delayed completing his stock of brandy or French wine, in the hope of importing at a reduced duty, would import so much the more as soon as the duty took place. The commercial treaty, however, had now its full operation on every branch of the revenue; and if the average of the last three years were taken, it would appear that the produce was about 30,000*l.* less than it had been calculated by the committee. The net produce of customs, excise, stamps, and incidents, from the 5th of January, 1786, to the 5th of January, 1787, was 12,389,555*l.*; from 1787 to 1788, 12,923,134*l.*; from 1788 to 1789, 13,007,642*l.*; the average of which was 12,773,443*l.*; deficient, as he had stated, about 30,000*l.*; and the same would be the case, whether reckoned from January to January, or from April to April. This deficiency was not great, but it was not the whole deficiency. The committee calculated on the then subsisting taxes, and since that time, some open, and

much greater clandestine additions, had been made to them. By the amount of all these additions, added to 30,000*l.* did the revenue fall short of the calculation. The Chancellor of the Exchequer had openly laid taxes to the amount of 100,000*l.* in order to make up the surplus million ; and he had recourse to other taxes which he did not avow, but which, under the specious name of regulations, were as much levied on the subject, as if the same sums had been raised by new taxes under a new name. He did not disapprove of increasing the revenue ; but he disapproved of laying taxes any way but openly. The Chancellor of the Exchequer might have reasons for acting otherwise. He knew that his word was pledged that no more taxes would be necessary. His credit was at stake ; and what he feared to do openly, and by its proper name, he chose to do clandestinely under a specious colour. Had he owned his mistake, and come fairly forward, the house and the public would have readily allowed, that calculations of revenue were liable to error, and he would have lost no confidence ; but being once in a mistake he determined to persist ; and whilst he professed to be making provisions against smugglers, was himself smuggling a tax under the wrapper of a regulation.

Mr. Sheridan now proceeded to reckon up the amount of the tax upon wood imported, of the additional tax on paper, on the Scots distillery, licensing ale-houses, and the consolidation act, which, being added to the resources calculated on by the committee, ought to have produced, on an average, 300,000*l.* above their estimate. There was, therefore, a defalcation of that sum on the produce of the permanent taxes. He next calculated the amount of the land and malt tax, which, although regularly taken by the Chancellor of the Exchequer at 2,750,000*l.*, did not produce, on an average of three years, more than 2,430,000*l.* The whole annual produce of all the taxes, including the land and malt

tax, on an average of the last three years, was only 15,203,000*l.*, less by about 200,000*l.* then estimated by the committee ; and if to this were added the 300,000*l.* arising from taxes, on which the committee did not calculate, their estimate would appear to be erroneous by about 500,000*l.* And yet, this was not all ; the resource suggested by the committee of increasing the revenue by securing the collection of taxes, had been applied to : and had it succeeded ? had it done what they prophesied it would do ? He held in his hand titles of bills for regulating taxes sufficient to make a long, although not a very entertaining pamphlet ; so that either the calculations of the committee had been egregiously wrong, or the regulations had been good for nothing. The right honorable gentleman who had been chairman of the committee, and was now to stand forth as the champion of the report, might say to the Chancellor of the Exchequer, “ you have been new modelling this tax, and regulating the collection of it ; you have been tampering, tinkering, and extending the excise laws ; but you have done me no good ; you have not added a shilling to my calculation.” Or the Chancellor of the Exchequer might say to his right honorable friend ; No ; that is not the case ; my regulations were all productive, and, but for them, your calculations would have been deficient more than a million.”

Some such contest there must be between the two right honorable gentlemen ; how they would settle it he could not tell. It was the uniform practice of the Chancellor of the Exchequer, not the effect of accident or necessity, but of system and choice, to bring forward his tax bills at a period of the session when he was sure they could not be attended to. If it arose from honest idleness there would be some excuse ; but it proceeded from design, and the end was obvious. In the middle of summer he knew many gentlemen would be withdrawn to attend their own affairs in the country, and of those who re-

mained in town few would be disposed to sit and discuss with him regulations of taxes. This revenue barge lay snug in port during the stormy winter months ; but, when summer had warmed the air and smoothed the tide, then she put forth, loaded gunnel deep, secure that no rude blast or angry wave would overset and sink the precious cargo. He, himself, on enquiring why the minister was so indolent and dilatory in bringing forward public business, had been told by a friend of his, that “it was not indolence, he only waited till the gentlemen were gone into the country.” Then it was that he enjoyed the cool and quiet pleasures of the treasury bench, and called the two secretaries, like two rival shepherds, to chaunt alternate strains on excise. He had objected a few days ago to one of his bills, on account of the discordant matter (cocoa nuts, cockets, and tub boats) it contained ; and he had been told that hotch-potch bills were common, and saved the multiplication of acts of parliament. The only reason which had originally given rise to such bills, was the jealousy of the country members of keeping the committee of supply too long open. Rather than do this, they had sometimes consented to such bills being brought in, as the lesser evil of the two. But all the minister’s revenue bills were hotch-potch bills ; for if they were not so when first brought in, they had so many things altered, amended, and added, before they went through, that the original bill was hardly to be traced. The bill, for instance, to which he had alluded, when it came into the house, was a very good tub-bottom bill ; but before it passed the committee, it had a false keel clapped on it, and became he knew not what. The right honorable gentleman was at as much pains to make laws so as to escape observation, as the smugglers were to elude the efficacy of his laws. The consequence was, that they were generally so inadequate to their purpose, as to be of no use ; or so absurd and impracticable, that he was obliged to

suspend the operation of them, and come to parliament during the next ensuing session to revise and amend them. The suspension of acts of parliament by the lords of the treasury, which had been treated so lightly when he mentioned it before, was a very serious evil; for independently of the extent to which the practice, once sanctioned by a sort of prescription, might be carried, it was a serious evil to teach the people to distrust their representatives, to consider the legislature as their tyrants and oppressors, and to look up for every act of grace or favour from the crown. If bills were to be passed without proper examination, it was better to add a sweeping clause, "that whereas this bill may prove to be impracticable or absurd, be it enacted, that the lords of the treasury have power to suspend the operation of the same." The resource to be derived from regulating taxes had been applied to, and without it, the committee would have been completely put to shame. With regard to how far arts and manufactures had been injured, or trade impeded, by the severity of these regulations, he should not then enquire.

Mr. Sheridan next entered upon an investigation of the expenditure; and there, he said, it might have been expected that the most valuable of all resources, the resource arising from economy, would have been tried. Instead of that, in proportion as the revenue did not rise to its supposed standard, the minister had gone on with progressive prodigality, increasing the expense. He proceeded in the same way he had done with the revenue, to take an average of the expenditure for the three last years, making 15,930,000*l.* a year. Of the various articles composing this sum the only one in which a reduction appeared probable, was that of miscellaneous services. This, on the same average, was 649,000*l.* a year. Did it seem likely that it would ever fall so low as 74,000*l.*, the sum it was stated at by the committee?—Mr. Sheridan recapitulated the

various items which composed this article, commenting on each, and asking which of them was likely to be less for several years to come? Would the Chancellor of the Exchequer say, that, considering the number of the royal family, that some of them must have separate establishments, and some of them might be disposed of in marriage, 200,000*l.* would be sufficient to make good the deficiencies of the civil list for the next five years?—Were the claims of the American loyalists liquidated?—Was the expense of Botany Bay at an end?—Had the Duke of Richmond no more powder-mills to buy, or walls or forts to build?—Would the salary to the secretary to the commissioners for reducing the national debt cease?—Was Carlton House yet finished?—These, with a few others equally permanent, were heads that made the miscellaneous services amount on an average to the sum which he had stated; and could it be imagined that they would ever be reduced to 74,000*l.*? It was also to be observed, that of the three years on which he had calculated the whole public expenditure, the second exceeded the first, and the third the second. But this was not all; the navy bills, after every profession that they should never be suffered to exceed the sum stated by the committee, as the probable fixed amount of the floating navy debt, were increased 600,000*l.*, and 1,400,000*l.* of them were now bearing interest. If, to the average expenditure before stated was added one-third of this increase of the navy debt, and the sum issued to the commissioners for the reduction of the public debt, the whole annual expenditure would amount to 17,144,000*l.*, exceeding the average income by more than 1,940,000*l.* Such was our present situation. The expense of the current year was something above this estimate, and the next could not be expected to be much less. If, therefore, we were to start on a level, we must first sweep off all the miscellaneous services above 74,000*l.* a year, which

could not be done for less than two millions; so that, in addition to the two millions deficiency of the revenue, as before stated, two millions more must be added, to bring the miscellaneous services to the estimated peace establishment. The exceedings of the navy had been stated by the committee at from 2,000,000*l.* to 2,800,000*l.* Comparing this with Sir Charles Middleton's account, it would appear to be erroneous; but taking it as stated by the committee, with the 600,000*l.* actual addition to the navy debt, in three years it would be 1,880,000*l.*, and the amount of the whole, in five years, 9,400,000*l.* Add to this the two millions before mentioned, as necessary to reduce the miscellaneous services to the estimated peace establishment, and the whole would be very little less than twelve millions, expended in five years, more than the annual income. Having cleared away this, or provided taxes to pay the interest, we must then either raise our income, or reduce our expense 1,800,000*l.* a year, before we could be in the situation to which the Chancellor of the Exchequer boasted that he had brought us.

Upon this occasion it seemed extremely natural to enquire how we had supplied so great a deficiency, and paid off three millions of the funded debt? The committee had calculated on outstanding debts, and there was on the table a paper very inaccurately made out, containing an account of these, to the amount of 1,500,000*l.*, deducting the profits of the lottery, which ought not to be included in it. The Chancellor of the Exchequer had taken credit three times for a debt due by the East India Company. The company, indeed, disputed the debt, but the right honorable and learned gentleman near the minister (Mr. Dundas) had truly said, let us get the money from them, and see how they can get it back again. This was an irresistible argument, and on the strength of it 300,000*l.* had, after much wrangling, been obtained from the company, under promise of repayment, if it should hereafter appear

not to have been due. If it was a debt, in heaven's name let it be paid ; but if it was not, and the company advanced it only as a favour, it must be repaid with interest some time or other, and the favours of the company generally cost the public, at least, tolerably dear. The Directors had drawn up a state of the claim to be sent out to their servants in India ; but as it was necessary that it should pass through the hands of the Board of Control, that board had altered it, and obliged the directors to send out not their own state of their case, but the minister's. After all, the claim was not yet finally admitted, and there were great doubts whether it would be or not. When he found the company borrowing of the public under the sanction of the minister, and the minister borrowing again of the company, he could not help considering it as a pleasant sort of reciprocity between the two parties, in which the one said to the other, "I will find you credit, and do you find me money." It was surely not going too far to say, that a minister must have been extraordinarily pushed for money, when he had recourse to such extraordinary means of supply. To the resource of outstanding debts must be added the profits of the lottery, which ought never to be considered as a source of permanent revenue ; for, it was certain, that however the revenue might be benefitted by it, the people were sure to lose both in their morals and their industry ; what was lost by the people, was, in fact, lost by the public ; and so pernicious a mode of raising money ought never to be resorted to but in cases of great necessity. But both these amounting to 3,079,812*l.*, not being half the exceedings, he came to his third proposition, that we had made no progress in the reduction of the public debt, but that in fact we had borrowed as much as we had paid.

It was during the year 1785 that an extraordinary million of exchequer bills had been voted, not for

the current services of the year, but to answer any unforeseen demands which might occur. The probability was, that they would not be wanted ; if not wanted they were not to be issued ; and were positively to make no permanent addition to the public debt. When the Chancellor of the Exchequer conceived the plan of establishing a new sinking fund for the reduction of the public debt, he found it convenient to make use of these bills, and 900,000*l.* of them were actually issued after the 22d of February, 1786, as appeared by the account. Would he have done this if he had not had in contemplation the commencement of his operation to reduce the debt ? Had he not done this he would have been deficient to the amount of these bills ; so that, in truth and in fact, he as much paid off the first annual payment of the debt with these bills, as if he had carried them in his hand to the Stock Exchange ; and the only effect of the operation was to change one sort of debt to another, at a trifling expense to the public. On this account, however, he should only take 750,000*l.*, the sum actually issued to the commissioners for reducing the public debt in 1786. By anticipating the sinking fund a quarter in 1786, and taking credit for four quarters next year instead of three (as had been formerly done on similar occasions) the minister got 628,000*l.*, which would appear on winding up the accounts to any given period to be as much debt as if the money had been actually borrowed. The committee had stated the navy debt at 1,712,489*l.*, but added, that from the delay in calling for payment of many of the charges of which it was composed, a floating arrear to that amount might generally be expected to subsist ; and as it neither bore interest nor would require to be funded, it could not occasion any additional charge to the public. This might have seemed a pledge to the public, that no part of this sum was to make part of the public debt. It appeared, how-

ever, that 550,000*l.* had been added to the capital, and that 1,400,000*l.* of it now bore interest, and was consequently in operation, and in substance an addition to the public debt. To this ruinous expedient of paying interest on unfunded debt, which had been so pointedly reprobated in His Majesty's speech, had the very minister who advised that speech thought proper to resort. He would, however, put 900,000*l.* of this sum out of the question; although he really felt that he was hardly justifiable in doing it, and take only the addition to the capital with the interest, making together 600,000*l.* On the next article, the tontine, there would be no dispute. By this expedient, it was very generally believed, that the minister had made no addition to the capital of the public debt. The point (he understood) had been gravely debated in various places, and it was pronounced to be no addition. People, to be sure, did not know very well what to make of it. It was not a loan, it was not an annuity, but it was a sort of anodyne, an expedient for borrowing money without running in debt, which they did not comprehend. Keeping in mind, however, what a right honorable friend of his (Mr. Fox) had truly stated, the public owed no debt, as it could not be called upon to pay the principal, but annuities to a certain amount; the tontine was as much an addition to the aggregate of the annuities to be paid by the public, as would have been made by any other species of loan. It was true it would extinguish itself in time; and he did not blame the minister for having entered into a contract of finance with death, nor was it much to his purpose to argue whether it was a better or a worse mode of raising money than any other; but he did not give him credit for any very deep reason in adopting it.

It was provided in the surplus bill, that, in all cases of a loan in the usual way, the commissioners for reducing the debt should have preference as

subscribers. If the minister had made his bargain in the usual way, he knew the commissioners would have subscribed the whole; and he would have received from them with one hand, what he paid them with the other, deducting only the expense of brokerage; which would have put the absurdity of pretending to reduce the public debt, whilst he was adding to it in the same proportion, in too glaring a point of view to escape public notice and derision. The point was plain enough as it was; but it did not strike the observation of the multitude. The amount of this, with a *bonus* of one quarter, instead of a gain to the public of three quarters per cent. as the right honorable gentleman had originally stated his bargain, was 1,002,500*l.* The short annuities granted to raise 200,000*l.* to make good the like sum issued from the civil list for the secret services were charged on the consolidated fund; and, in that respect, were an addition to the debt. But it was contended, that the money would be repaid by instalments in eighteen years, having been lent to the province of Zealand. Whoever considered the new situation in which we stood with regard to continental affairs (an advantageous situation he admitted) would incline to think that, in the course of eighteen years, we were much more likely to advance double the sum on a similar account. But granting that it would be repaid, provision ought to have been made for applying the instalments, as they were received, to the payment of the annuities, instead of leaving them open to be diverted to other purposes by the influence of the present or any future minister. The principle of the surplus bill was, that parliament would not trust themselves, and the same principle ought to have been applied here. This house, he trusted, would therefore give him credit for candor, in not taking this sum also into the accounts. The result then was, that since the year 1786 we had paid of the funded debt three millions; and that we had

borrowed, by exchequer bills, 750,000*l.*; by anticipation of the sinking fund, one quarter, 628,000*l.*; by increase of navy debt, 600,000*l.*; by a tontine, 1,002,500*l.*; making together about as much as the sum paid off. If the 900,000*l.* navy bills bearing interest, which he had omitted, were added, the sum borrowed would exceed the sum paid by almost a million; and if the interest of the debt contracted were compared with that of the debt paid, it would exceed it in the same proportion. Such was our present situation, and such was our prospect for the year 1790, when we had been told that every thing was to be reduced to a firm establishment.

Mr Sheridan declared, that he did not blame the industry of the minister in endeavoring to pay off the public debt; but it was his principle that he blamed. The principle on which he acted was, that whenever the public wants money, you are to break down every barrier of the constitution, every fence of private liberty—to extend the excise laws—and deprive men of their most valuable privileges—that of trial by jury, in order to obtain it. He, on the other hand, maintained that because money was necessary for public service, it ought to be obtained by the most delicate means. The public debt he thought the heaviest burden on the constitution; for, he considered every hundred pounds of it as a perpetual mortgage in the hands of the crown, capable of being perverted to the most corrupt purposes of influence or oppression; and therefore he would sacrifice much to relieved from it. If to open private dwelling-houses to the rude intrusion of a ruffian excise office—if to deprive men of trial by jury, were matters of indifference to him; yet his regard for trade, the great source of revenue, would deter him from having recourse to such methods of increasing it. When we talked of the trade of this country, and the inexhaustible resources which it afforded, as the great props of our greatness, we mistook the effect for

the cause. To our constitution, and the manly confidence of every man in the success of his own industry and exertions, which it inspired, were we indebted for our trade, and not to our trade for our constitution. To attempt to increase the revenue, by injuring the constitution, was like taking from the foundation to mend the roof,—like digging up the roots of a tree for use, instead of lopping the boughs. Having said thus much on his propositions, he should only beg to be heard in explanation, at the close of the arguments which were to be urged against them. He should move no resolutions on the papers before the house, but propose to refer them to a select committee of independent members, who were neither in office, nor candidates for being in office. He meant no reflection on the former committee; but, he could not think it creditable to the minister to have his statement of the finances examined and approved by a committee of his own friends. No eloquence was required in a matter of plain calculation, as figures did not want to be set to music. The matter might now be decided by fair arbitration between him and the Chancellor of the Exchequer; and a committee of the whole house, in 1763, had agreed to refer the public accounts to just such a select committee as he proposed. Such gentlemen as were satisfied that there was an annual surplus of a million, after paying all ordinary and extraordinary expenses, such gentlemen as had heard the Chancellor of the Exchequer declare that there would be no necessity for a future loan, might go into the country and tell their constituents with confidence that the finances were in a prosperous state, and that further taxes were not to be dreaded. Those who had not received this satisfaction, would neither discharge what they owed to their own characters—to their country—or their constituents, if they did not vote for a complete investigation, late in the season as it was: He should venture to propose the names of

fifteen gentlemen, such as he had described; none of whom he had consulted; but who, he was fully persuaded, would all be ready to bestow a little of their time—and but a little would be necessary, on so important an inquiry. Of the fifteen, eight were gentlemen who usually voted with the minister; and by their decision, in all that he had stated, he was ready to abide. If the Chancellor of the Exchequer declined meeting him on such fair ground, the public would readily assign the motive.

A motion was now made by Mr. Sheridan, “That a committee be appointed to inquire into the state of the public income and expenditure; the progress actually made in the reduction of the national debt since the year 1786; and into the grounds on which a reduction of the same may be expected in future; and to report the same with their observations thereon, to the house; and that the said committee do consist of Henry Bankes, Esq.; Daniel Parker Coke, Esq.; George Dempster, Esq.; William Drake, jun. Esq.; William Hussey, Esq.; Sir William Lemon, Bart.; James Lowther, Esq.; James Martin, Esq.; Mr. Alderman Newnham; Edward Phelps, Esq.; Charles Anderson Pelham, Esq.; Thomas Stanley, Esq.; Sir George Augustus William Shuckburgh, Bart.; Mr. Alderman Watson, and the Earl of Wycombe.”

Mr. Pitt answered, that there was not a friend to the liberties of this country who did not join in the sentiments with which the right honorable gentleman had closed his speech. The sort of manner, however, in which some honorable gentlemen had clothed their arguments, looked as if they were over sanguine in their opinion of their effects, and feared that they would prove successful. The right honorable gentleman (he observed) had been lately much conversant in criminal prosecutions; and, therefore, he asked him, whether he had met with any thing which induced him to be of opinion, that because he moved for a committee there was nothing more needful than for any man to rise up, and boldly to make some taunting charges, mixed with much invective against any given statements. Mr. Pitt contended that all the leading facts were ascertained; and that the differences between them were reduced within so narrow a compass that the house, with the Speaker in the chair, was as fully able to

decide them that night as a committee could possibly be at any other time. He then went through the detail of the various articles of revenue, expenditure, and debt, reasoning against the various arguments which had been urged by Mr. Sheridan and Mr. Fox, as he proceeded, and endeavoring to confirm those of Mr. Grenville. Mr. Pitt concluded with repeating that there was no question between them that might not be decided without a committee, full as well as with one; no language, therefore, that could be used, nor any defiance should induce him to consent to the appointment of such a committee, notwithstanding that he was ready to admit that the names proposed by the honorable gentleman were perfectly unexceptionable, and many of them persons for whom he entertained a very sincere respect.

Mr. Sheridan declared, that he did really believe that no language, nor any defiance which words could convey, would induce the right honorable gentleman to put himself into a situation in which he might have been detected, and in which the public might see that those secured themselves from inquiry who wished to avoid detection. The right honorable gentleman had not removed one suspicion, nor in the least cleared the matter from doubt. Mr. Sheridan contended that the right honorable gentleman had not contradicted even one of his assertions. What he had advanced, both with regard to the revenue and the establishment, he had tacitly acknowledged. With respect to his having stated the present million to be obtained by the tontine, as being yet to be applied, he was ready to admit it, if the right honorable gentleman (Mr. Pitt) would assure him that another loan would not be required next year. This was what he knew the right honorable gentleman (Mr. Pitt) would not. He could not pledge himself to any such promise; for he knew too well that he must borrow another million next year, in order to apply it to the discharge of a million of the unfunded debt. With regard to the million issued of exchequer bills, what was this but borrowing a million of unfunded debt, to discharge a million of funded debt? This was borrowing with one hand to pay with the other.

Mr. Steele next addressed the house.

Mr. Sheridan answered, that it would have been a serious charge, indeed, if the honorable gentleman's statement of his having avoided to move for the proper accounts of the revenue had been true. He wished to know on what this accusation was founded. He had moved for separate accounts of the customs, excise, stamps, and incidents. Added to this he had moved for the amount of the duties collected on land and malt. He knew not what other papers he could move for to obtain an exact state of the revenue. If these papers were not sufficient, he was the more sorry for the disappointment; for he wished to give the right honorable gentleman (Mr. Pitt) every credit of resource. With respect to what the honorable gentleman (Mr. Steele) had recommended as a mode of settling the dispute, he could not agree to its propriety. He had recommended them to refer to the ways and means and expenditure for the last three years, as a mode of ascertaining whether the latter exceeded the former or not;—for, says he, there you will find, that the expenditure was provided for by the ways and means. And on this he founds his argument—that the resources must be equal to the expenditure of the country for the last three years. Surely this was an evident fallacy;—for, although a sum of money might be proved to have been paid, yet it did not shew what part of that sum might have been borrowed for the purpose: he could not, therefore, agree to the adoption of this conduct. The only mode by which the truth could be ascertained, must be by a committee, as being composed of gentlemen of independent principles, who would certainly make a report that would lay before the house and the country an actual state of the income and establishment. With this before the house, the nation would then be apprised of the means which it had to meet its exigencies; but at present no such confidence could exist. When between two and three millions were added to the unfunded debt,

in order to pay off three millions of that national burden, the people must withdraw their confidence when they found themselves the dupes of such an empty delusion. For these reasons, he again urged the necessity of voting a select committee for examining the state of our revenue and expenditure, since the measure of appropriating a million to the annual discharge of the national debt; and, at the same time, to examine into the probability of our income being equal to afford such a surplus in future years.

The question was at length called for, and negatived without a division.

JULY 15.

TOBACCO REGULATION BILL.

The report concerning this bill being brought up, and several amendments read and agreed to, Sir Watkin Lewis observed, that agreeably to his former notice, he should now beg leave to introduce a clause to give the persons aggrieved by the determination of the commissioners of the excise, or justices, the right of a trial by jury; which would, in a great measure, do away the odium attached to the excise laws.

Mr. SHERIDAN observed that, although too well assured that every effort to procure relief would fail of its desired success, he could not avoid advising gentlemen to take care of being seduced into the idea of the trial by jury being ever suffered to prevail in cases of excise, by the gentlemen on the other side of the house. One honorable gentleman (M. Beaufoy) over the way, talked of the excise laws taking place in the reign of Charles II. A learned and honorable gentleman (The Attorney-General) had said, if they introduced the trial by jury, it would be an innovation; now, the fact was, the excise laws were an innovation on the constitution, and every extension of them was an additional innovation. But the light in which gentlemen differently placed it was very curious; every person

found that it would be a desirable point to have a trial by jury ; but, one said, " Let us not tamper with the existing revenue ; wait a while, till the excise is more extended, and then we will have a general bill." Another had said before, " If it was a general case, there would be no objection to try the experiment ;" and so between the two opposition reasons, there was no hope of ever obtaining the relief desired. Mr. Sheridan mentioned the case of one Corenno, a manufacturer established in Prussia, whose secrets in his trade the government wished to discover ; and, for that purpose, were preparing to subject him to regulations like those of excise. The consequence was, that he instantly removed, established his manufactory near Amsterdam, and the court of Berlin in vain endeavored to prevail on him to bring his manufacture back to Prussia. Mr. Sheridan laid considerable stress on the disclosure of the mysteries of snuff-making ; which, he contended, were still, under the bill, exposed to the discovery of the excise officers. As a proof of the value of the secret of mixing, he stated, that Brazil snuff, which cost but sixpence a pound originally, by the flavor given it in mixing, sold for ten shillings a pound.

The question being put, the house divided ; ayes 16 ; noes 55.—The Speaker next put the question for the bill being engrossed.

Mr. Sheridan said, that no person on that side of the house had made the smallest objection to the bill, till after the trade and the city of London had petitioned against it ; when they had imagined that the sentiments of so respectable a body, expressed in the most marked manner that ever had, perhaps, distinguished opposition to any bill of commercial regulation, would have experienced that degree of respect and attention which had been formerly the constant and uniform consequence of petitions from the city against bills of that description ; but, in the present case, the petitioners had been paid not

the least attention to. He could have wished that the two honorable gentlemen behind him, who spoke last, had contented themselves with making their opposition to the bill in the manner they thought best, without obliquely conveying reflections on the conduct of other gentlemen who had acted differently. He had attended to the bill in all its stages, and listened to all the evidence ; and perhaps he should give the honorable gentlemen but little information, when he informed them, that the most proper time for opposing the principle of a bill, was on the second reading ; the time for opposing it in detail was in the committee ; the time of opposing both principle and detail was on the report ; and that the opposition of the report was the feeblest of all opposition, except to the third reading.

Mr. Samuel Smith begged leave to assure the honorable gentleman who spoke last, that he had totally misinterpreted his meaning.

Mr. Smith was told from the Chair, that he might speak in explanation, when the honorable gentleman sat down, but could not interrupt him, unless he spoke to order.

Mr. Smith said, he spoke to order, and was proceeding to answer Mr. Sheridan, when he was again called to order.

Mr. Sheridan continuing, remarked that he should be sorry to misinterpret any gentleman's arguments. He was not aware when the two honorable members had their instructions from Worcester ; but they certainly would not have shewn their zeal less if they had opposed the bill more in the committee. They, perhaps, confounded the principle of legislature and that of manufacturing tobacco, and thought it wrong to enter the house, during the process of manufacturing the clauses, and mixing the provisions, and measuring the ingredients, in like manner as they would have the excise officer avoid entering the room when the process of the manufacture of tobacco or snuff, and the mixing of materials was going on. This was a very good rule in making tobacco, but not in making a law.

Mr. Smith declared that he had, from the beginning, opposed the bill; that he had troubled the house, perhaps, too often, in every stage of it, and meant, what he had said before, as an apology for that conduct; that he had thought it more manly to do so, instead of waiting to feel the pulse of the house first upon the subject.

The house divided; ayes 70; noes 20.

FEBRUARY 9, 1790.

ARMY ESTIMATES.—FRENCH REVOLUTION.

The sessions was opened on the 21st of January, and on the 5th of February the army estimates were brought forward.—They were nearly the same with those of the preceding year, and were not voted without some objections from the side of opposition. It was observed by Sir Grey Cooper, Mr. Marsham, and Mr. Fox, that eight years of peace had elapsed, and that the military estimates were not yet reduced, even to the peace establishment of 1775, though the committee of finance, which sat in the year 1786, had presumed upon a still greater reduction. That there was nothing in the actual situation of affairs that called for this extraordinary military force; but, on the contrary, that His Majesty had assured them of the pacific disposition of all the foreign powers; that our ancient rival and enemy, France, in consequence of her internal disturbances, would probably be disabled from giving us any molestation for a long course of years; and, lastly, that the alliances we had made, and the subsidiary treaties we had entered into on the continent, inasmuch as they multiplied the chances of our being involved in war were proportionably mischievous, if they did not enable us to reduce our expenses in time of peace. To these arguments it was answered in general by Mr. Grenville and Mr. Pitt, that though there was no reason at present to apprehend that we should be engaged in hostilities with any foreign power, yet, the unsettled state of Europe, and the internal situation of several parts of it, made it necessary for us to keep ourselves in such a state as might enable us to act with vigor and effect, if occasion should require. That it was a preposterous economy to tempt an attack by our weakness, and for a miserable present saving to hazard a great future expense. That our foreign alliances, which had been approved of by all parties as necessary for the preservation of the balance of power in Europe, upon which the permanence of its tranquillity depended, could only be rendered effectual for that purpose by our being able to support them with an adequate force. And, lastly, that it would be found, upon an examination of the detail of all our military establishments, that they could not, with common prudence, be reduced to a narrower scale. In the course of the debate, Mr. Fox remarked, that the conduct of the French soldiers during the late commotions, tended greatly to re-

more one of the objections which he had always entertained against standing armies.—That army, by refusing to obey the dictates of the court, had set a glorious example to all the military of Europe, and had shewn that men, by becoming soldiers, did not cease to be citizens. This remark did not pass without animadversion at the time it was made. On the 9th of February, when the military estimates were reported from the committee a further debate took place, in which Mr. Fox having again let fall some expressions of applause of the French Revolution, Mr. Burke rose, and after a few observations upon the general state of Europe, as it effected the question of increasing or diminishing the military force of Great Britain, he adverted in a more particular manner to the situation of France, and opposed the principles laid down by Mr. Fox.

Mr. SHERIDAN declared, that he rose with the greatest regret ; but that the very reasons which his right honorable friend (Mr. Burke) had given for the sentiments which he had that day uttered, namely, an apprehension of being supposed to acquiesce in the opinions of those for whom he entertained the highest regard, and with whom he had uniformly acted, operated also on his mind, and made him feel it a duty to declare, that he differed decidedly from that right honorable gentleman in almost every word that he had uttered respecting the French Revolution. Mr. Sheridan added some warm compliments to Mr. Burke's general principles ; but said that he could not conceive how it was possible for a person of such principles, or for any man who valued our own constitution, and revered the Revolution that obtained it for us, to unite with such feelings an indignant and unqualified abhorrence of all the proceedings of the patriotic party in France.

He conceived their's to be as just a Revolution as ours, proceeding upon as sound a principle and a greater provocation. He vehemently defended the general views and conduct of the National Assembly. He could not even understand what was meant by the charge against them of having overturned the laws, the justice, and the revenues of their country. What were their laws? The arbitrary mandates of capricious despotism. What their justice? The

partial adjudications of venal magistrates. What their revenues? National bankruptcy. This he thought the fundamental error of the right honorable gentleman's argument, that he accused the National Assembly of creating the evils, which they had found existing in full deformity at the first hour of their meeting. The public creditor had been defrauded; the manufacturer was out of employ; trade was languishing; famine clang upon the poor; despair on all. In this situation, the wisdom and feelings of the nation were appealed to by the government; and was it to be wondered at by *Englishmen*, that a people, so circumstanced, should search for the cause and source of all their calamities; or that they should find them in the arbitrary constitution of their government, and in the prodigal and corrupt administration of their revenues? For such an evil, when proved, what remedy could be resorted to, but a radical amendment of the frame and fabric of the constitution itself. This change was not the object and wish of the National Assembly only, it was the claim and cry of all France, united as one man for one purpose. He joined with Mr. Burke in abhorring the cruelties that had been committed; but what was the striking lesson, the awful moral that was to be gathered from the outrages of the populace? What, but a superior abhorrence of that accursed system of despotic government, which had so deformed and corrupted human nature, as to make its subjects capable of such acts; a government that sets at naught the property, the liberty, and lives of the subjects; a government that deals in extortion, dungeons, and tortures; sets an example of depravity to the slaves it rules over; and, if a day of power comes to the wretched populace, it is not to be wondered at, however it is to be regretted, that they act without those feelings of justice and humanity, which the principles and the practice of their governors have stripped them of. At the same time, if there were

any persons, who, for the purposes of their own private and personal ambition, had instigated those outrages, they, whatever their rank, birth, or fortune, deserved the execration of mankind. Justice, however, required, that no credit should be given to mere rumors on such a subject.

But whatever these outragers were, or whoever caused them, was the National Assembly in any respect responsible? The National Assembly, who, in all cases, had interfered with zeal and alacrity for the maintenance of order and just information—what action of theirs authorized the appellation of a *bloody, ferocious, and tyrannical democracy*?—Language, like this, had been too prevalent in some of the ministerial prints, and he had always seen it with regret; for, to traduce the National Assembly, was, in his mind, to libel the whole French nation: whatever was great or good in France, must be looked for there, or no where.

Mr. Sheridan next attacked Mr. Burke's declaration, that the French might have received a good constitution from their *monarch*. What! was it preparing for them in the camp of Marshal Broglio? or were they to search for it in the ruins of the Bastile? He avowed a most eager and sanguine hope that the *despotism of France should never be restored*. He avowed this, not only as a friend to the general rights of mankind, but as a politician, speaking only for the advantage of his country. He was convinced, that it was for the interest of Great Britain, that the despotism of France should be destroyed. Whoever looked into our history, would come at once to the opinion, that the greater part of the expense of blood and treasure of this nation had been owing to the circumstance of France being a *despotic government*; and, being a despotic government, being what all despotisms ever had been, a government of unprincipled ambition, and without faith or justice in its dealings with other nations. Let France amend her constitution, she *may* become

more powerful in her permanent resources, but she certainly will be a juster, worthier, and more peaceable nation, and more likely to act towards us, as we do now towards her. The French were naturally a brave and generous people; their vice had been their government. In hoping, however, that that government might be radically amended, he could not be thought to approve of wanton persecution of the nobility, or any insult to royalty: it was consistent with the spirit of the most perfect constitution, that the monarch should retain all the powers, dignities, and prerogatives becoming the first magistrate of so great a country.

Mr. Sheridan went into other parts of the discussion respecting the French revolution, and paid high compliments to the Marquis de la Fayette, Monsieur Bailly, and others of the French patriots; and concluded with expressing his regret that so many friends of the minister had held sentiments apparently contrary; and above all, that his right honorable friend should have suffered his humanity, however justly appealed to, to have biassed his judgment on so great a question.

Mr. Sheridan concluded, with expressing a further difference with Mr. Burke, with respect to our own revolution of 1688. He had never been accustomed to consider that transaction, as merely the removal of one man, and the substitution of another, but as the glorious æra that gave real and efficient freedom to this country, and established, on a permanent basis, those sacred principles of government, and reverence for the rights of men, which he, for one, could not value here, without wishing to see that diffused throughout the world.

Mr. Burke answered, that he most sincerely lamented over the inevitable necessity of now publicly declaring, that henceforth, his honorable friend and he were separated in politics; yet, even in the very moment of separation, he expected that his honorable friend, for so he had been in the habit of calling him, would have treated him with some degree of kindness; or at least, if he had not, for the sake of a long and amicable connection, heard him with some par-

tiality, have done him the justice of representing his arguments fairly. On the contrary, he had, as cruelly as unexpectedly, misrepresented the nature of his remarks. The honorable gentleman had thought proper to charge him with being the advocate of despotism, though, in the beginning of his former speech, he had expressly reprobated every measure which carried with it even the slightest appearance of despotism. All who knew him, could not avoid, with the most unmerited violation of natural justice, acknowledging, that he was the professed enemy of despotism, in every shape; whether, as he had before observed, it appeared as the splendid tyranny of Lewis the Fourteenth, or the outrageous democracy of the present government of France, which levelled all distinctions in society. The honorable gentleman, also, had charged him with having libelled the National Assembly, and stigmatised them, as a bloody, cruel, and ferocious democracy. He appealed to the house, whether he had uttered one single syllable concerning the national assembly, which could warrant such a construction as the honorable gentleman had put upon his words. He felt himself warranted in positively repelling the imputation; because, the whole tenor of his life, he hoped, at least, had proved that he was a sincere and firm friend to freedom; and, under that description, he was concerned to find that there were persons in this country, who entertained theories of government, not thoroughly consistent with the safety of the state; and were, perhaps, ready to transfer a part, at least, of that anarchy which prevailed in France, to this kingdom, for the purpose of effectuating their own designs. Yet, if the honorable gentleman considered him as guilty, why did he not attack him as the foe of his country? As to the charge of abusing the national assembly, it might seem almost sufficient to answer, "What is the national assembly to us!" But, he declared, that he did not libel the national assembly of France, whom he considered very little in the discussion of these matters; that he thought all the substantial power resided in the republic of Paris, whose authority guided, or whose example was followed by all the republics of France. The republic of Paris had an army under their orders, and not under those of the national assembly. The honorable gentleman had asked from whence the people of France were to expect a better constitution?—whether from Marshal Broglio, at the head of his army; or were they to look for it amidst the dungeons of the Bastile? Was that a fair and candid mode of treating his argument, or was it what he ought to have expected in the moment of departed friendship? On the contrary, was it not evident that the honorable gentleman had made a sacrifice of his friendship, for the sake of catching some momentary popularity? If the fact was such, however, even greatly as he should continue to admire the honorable gentleman's talents, he must tell him that his argument was chiefly an argument *ad invidiam*, and that all the applause for which he could hope from clubs, was scarcely worth the sacrifice which he had chosen to make for so insignificant an acquisition.

The resolutions were then agreed to, and the house adjourned.

MARCH 8.

EXCISE DUTIES ON TOBACCO.

Mr. SHERIDAN observed, that having some reason to conclude that neither the minister, nor any of those gentlemen who were connected with him in office, would oppose the motion which he should beg leave to submit to the consideration of the house, it might appear improper to enter, for the present, into a detail of the subject. He should not, therefore, trouble the house with any long series of remarks concerning the necessity of repealing the act of the last session, subjecting the manufacturers of tobacco and snuff to the Excise Laws; but he would chiefly employ the few words he should use, in most earnestly entreating gentlemen to pay attention to the subject, assuring them that it was of infinite importance, and the more it was enquired into, the more would its extent and magnitude display themselves, and it would be found that a matter more interesting to the first and dearest principles of the constitution, had scarcely ever called for the investigation of a British house of commons. Every member must wish, that in a question where the revenue was materially concerned, the utmost candour might be preserved, and nothing which bore the smallest appearance of party spirit be suffered to prevail. In all cases of revenue, two or three instances excepted, it must be admitted that the whole house, to a man, had joined cordially and earnestly in supporting the measures in agitation, and in endeavouring, as effectually as possible, to sustain and keep up the credit of the country. In the only cases in which opposition had been maintained, more good had been done than harm, as had been evident in the case of the fustian tax, and the shop tax, and he trusted that the same consequence would follow the repeal of the tobacco act; for repealed it must be, if the house would fairly and closely examine into

its operation and effects. It was unnecessary for him either to dwell much upon the general inattention of that house to questions of revenue, and the absolute necessity of introducing bills of considerable importance, early in the session, so that there might be time for their full and complete discussion; or to point out the folly of reposing a blind confidence in ministers' experience respecting matters of revenue. Had the tobacco bill been introduced early in a session, it was utterly impossible that it should ever have passed at all; but protracted as it had been, purposely, to the end of the session, gentlemen had not that opportunity of examining and considering a bill of such length, and complicated variety, which ought to have been given, and which alone could prevent the disgrace which the house ultimately sustained, in being obliged, the very next session after it had passed, to revise, reconsider, and amend their own act. No man (Mr. Sheridan said) could pronounce him wrong in this observation, or declare that he hazarded an opinion which was doubtful; since, in passing the tobacco act, the house had passed an act, that, in the judgment of the greatest law authority of the kingdom, had been called a mass of contradictions and absurdities. He did not mean to refer to the place where this declaration had been made, because he knew that the forms and customs of that house would not admit of it, and he wished not to be irregular, but he had the sanction of the first legal authority in the kingdom to declare, that the bill was so ill drawn, that it was impossible to be understood; that it was full of clauses of an opposite and contradictory nature; that many of them were absolutely irreconcilable; and that the whole bill had been framed and put together by a man, who could write, but who could not read. The principle of the bill led to the introduction of a general excise; and, therefore, on that ground alone, it ought to be repealed. He wished also, that if it were possible, it could be viewed so

as to be regarded solely as a matter of revenue, disconnected as it were from the constitution. He knew that it was impossible in that house absolutely to disconnect the constitution and the revenue in all matters regarding the revenue; but still he wished that it might be looked on with a trading eye, and solely with a view to the revenue. The excise laws would then be found likely to cut up our resources by the roots, and to be the most fatal mode of collection in its effect, to which it was possible to resort. In the case of tobacco they were wholly inapplicable; and, in fact, he would lay it down as a principle in the broadest and most unequivocal manner, that the extension of the excise system would be just as applicable to the cloth which we wore on our backs, the buckles in our shoes, and any and every other article of our manufacture as tobacco and snuff. In conclusion, Mr. Sheridan moved:—

“That the several petitions which have been presented to this house, in this session of parliament, praying for a repeal or alteration of the act passed in the last session of parliament, for laying excise duties on tobacco, be referred to a committee of the whole house, and that such of the said petitioners as desired to be heard by their counsel in support of their said petitions.”

Mr. Pitt answered, but did not oppose the motion.

Mr. Sheridan replied, that he should not go into any general arguments in answer to the tartness and asperity manifested by the right honorable gentleman, whom he was sorry to perceive so sore upon the subject, but however the right honorable gentleman might lose his temper, he was determined to keep his own, and adhere to the moderation with which he began. As to the general observation that he had made, respecting the consequence of bringing in great and important bills at the end of the session, and passing them in a hurry, it was a justifiable one, surely, since the first law authority in

the kingdom had said that the bill was unintelligible, and pronounced it a mass of contradictions, absurdity and oppression. Had he wished to speak of bringing in the bill with any sort of severity, he might have charged the right honorable gentleman with having, in the course of the preceding session, informed the house that the bill was nearly ready; and then having the next year, premeditatedly and designedly, protracted it till the end of the session, when a sufficient number of gentlemen were not in town, or did not attend to give it the necessary examination. Adverting to the Chancellor of the Exchequer's observation respecting the want of analogy between broad cloth and tobacco, Mr. Sheridan declared, that he had never dreamt of any, but merely talked of the applicability of the excise laws to two opposite articles of manufacture. The right honorable gentleman had asserted, that he had sought the best information in his power, and that the manufacturers had engaged to send him an account of their grievances, but they had failed to make good their word. Mr. Sheridan contradicted the assertion, and said, that luckily the matter did not rest on his evidence, but a third party, the manufacturers themselves. He confessed he was not present at the meeting, but he spoke upon their authority. It was true, the right honorable gentleman saw them, and asked them to state their grievances specifically in writing; they told him that was a matter of information they could not afford to give him, but wished to give all the information in their power to the representatives of the people. There was nothing extraordinary in this; and yet, because they would not privately communicate their case to the right honorable gentleman, he had charged them with having declined the performance of a promise, which the manufacturers not only never made, but to which they expressly refused to accede. For his own part, he could positively affirm that the petitioners had not had recourse to the ex-

citing any sort of clamour, but were ready to come to the bar of that house and prove, by evidence, that they laboured under a very great oppression and inconvenience. This was the proper mode of proceeding, and it should be considered, that the manufacturers were men of character and respectability, in every sense of the words; when they came to the bar, the house would be able to know who and what they were, and how the facts actually stood.

The motion passed.

Mr. Sheridan rose again to name the day, but begged the honorable member for Hull to declare whether he did not know that the whole of the bill had not been put in force? A material part of the evidence would go to prove that the bill was so impracticable, that parts of it had been obliged to be suspended.

Mr. Thornton answered, that the surveys were made more frequently in the country than in town, (only once in six weeks in the latter, but once every fortnight in the former) and, therefore, the inconvenience of the act would have been felt more severely in the country than in town.

The ensuing Thursday was named for the day of the committee's meeting.

APRIL 16.

EXCISE DUTIES ON TOBACCO.

Mr. Sheridan moved the order of the day for the house to resolve itself into a committee on the several petitions, praying for a repeal of the act for excising tobacco; which being complied with,

Mr. SHERIDAN observed, that, in despite of the little consideration to which several honorable members might think the subject of the ensuing debate entitled, he felt himself thoroughly convinced that the great importance of its nature merited the closest attention, and the most serious investigation of the committee; and, therefore, upon such a ground, he should take the liberty to put in his earnest claim to the favour of an unprejudiced and patient hearing.

The matter, indeed, would scarcely admit of being enlivened or dignified by the manner of discussion; yet it was deeply interesting; for, it involved within it points which were exceedingly material to the existence of the constitution itself. He was, however, too well persuaded, that before he could succeed in making some members of the committee view the question in the same light in which it appeared to him, there were some prejudices which it would be necessary for him to endeavour to remove. Of late he had observed that, whenever revenue was mentioned in parliament, it seemed to be understood that every other consideration was to give way to it; and that even constitutional principles were made subordinate to an increase of revenue. This had grown into a kind of prejudice; and a man would run the hazard of being thought an enemy to the credit of the nation, who should venture to oppose a plan, however injurious it might prove to the rights of the subject, if it purported to hold out a prospect of an increase of revenue. Yet still should he presume to oppose that prejudice, at the same time that he professed himself to be among the foremost of those who were anxious to uphold and preserve the public credit. He was aware that the doctrine on which this prejudice was founded had powerful advocates, and was sanctioned by great authorities. Mr. Hastings, among others, had declared himself the champion of it, and lent it the weight and credit of his name; for, he had affirmed it, in a solemn manner, to be his opinion, that "revenue was the end of all government."—But though this position was advanced by so great a statesman, he would not hesitate to say, that it could not be maintained for a moment by any man who had the smallest regard for the happiness of his fellow-creatures. The true end of government was to keep mankind together by securing their happiness, protecting their rights, and insuring to them the possession and enjoyment of liberty and property. Re-

venue might be used as part of the means for effecting these desirable purposes, but it would be a perversion of common sense to call it the end of government. These person who could mistake revenue for the end of government, would, and must consider a national debt as absolutely necessary in every state ; and would therefore take care to establish what he must always consider as dangerous to liberty ; for, a public debt of any magnitude produced of course taxes ; the collection of taxes required revenue officers ; the appointment of these being in the executive government, would necessarily extend the influence of the crown, and that extension must be at the expense of the rights of the people. He was willing to go great lengths to support the public credit, by increasing the revenue ; but he thought that there were some rights which were above all price, and for the want or loss of which no increase of revenue could be a compensation. There was another prejudice, the fatal influence of which had been experienced more than once in the defeat of laudable endeavors made by friends to their country to oppose what they conceived to be injurious to the people's rights. And this prejudice was, that measures proposed by a minister were opposed of course by his political adversaries in parliament, not because the measures were wrong, but because they were his. This prejudice was founded upon an opinion as unjust as it was injurious, and could not, for a moment, stand the ordeal of enquiry. If gentlemen would look back, and review the proceedings of that opposition of which it was his boast to be a member, they would find, that the persons of whom it was composed, had, upon all occasions, manifested a strong desire to concur with the minister in supporting the public credit ; and that they never attempted to catch at popularity, by contending that taxation was unnecessary. On the contrary, they had always agreed with him, that in the actual situation of affairs, the burdens of the

people could not be lightened. Whenever, then, they had differed from him, and condemned any of his measures, the difference was not about the end, but the means, and the issue of their opposition, on various occasions, proved that it was founded on reason, and not in hostility to the minister. It was to opposition that the nation was indebted for the defeat of the plan, by which the minister would have placed an excise officer at the mouth of every coal-pit in the kingdom; for that must have been the case, if he had not been obliged by opposition to give up the duty which he had proposed to lay upon coals. When one of the most valuable manufactures in the kingdom, the cotton, was endangered by the injudicious excise duty laid upon fustians, and other articles, opposition stepped forward, and by procuring the repeal of that duty, preserved from ruin one of the greatest sources of trade and wealth to the nation. The shop-tax was also opposed; and, after repeated struggles, the minister gave it up; in that case he must be imagined to have given way to conviction, and not to clamour; and consequently he himself, by consenting to the repeal of that tax, admitted that the opposition to it was well founded. In these various instances the committee would see that opposition had not been actuated by factious motives; the success which attended the stand made to those different measures, and the minister's own conduct in giving up his plans, notwithstanding the kind of parental fondness that he was known, in general, to feel for whatever proposition he had once adopted, proved, beyond contradiction, that the gentlemen in opposition had good reason on their side. The prejudice which he was then combating, was not confined to the house of commons, but pervaded large bodies of manufacturers, whose spirit had been broken down by the oppression of excise laws.

It was the decided opinion of several of the manufacturers of the very article on which he was to

say much before he should sit down, that the act was as oppressive, as absurd, and as impracticable as it had been declared to be by himself and others; and yet they did not dare to join their brethren in opposing it, lest by joining opposition, they should bring upon themselves the indignation of government, and the ill-will of the commissioners of excise. This he could prove by a letter then in his hand, written by Mr. Purvis, of Hull, an eminent manufacturer in the tobacco line, to the committee of tobaccoconists. A passage from this letter Mr. Sheridan read; and it appeared from it that Mr. Purvis, though he had once thought so ill of the tobacco excise act, that he was on the point of quitting the trade; and though at least two out of the three partners in his house had been on the point of retiring from it, on account of this act, yet he was of opinion that the manufacturers ought to acquiesce, "lest by throwing themselves into the arms of opposition, they should draw upon themselves the ill-will of government."—Such was the mode of thinking and acting into which a free-born subject might be driven by the oppressive spirit of the excise laws. Uncommon pains had been taken, in the public prints, to defame all those who had taken any part in endeavouring to procure a repeal of the tobacco act. And no one had been more distinguished on the occasion than himself. He begged leave to apologize for speaking concerning himself; he at all times disliked egotisms, and more so, on the present occasion, when the attention of the committee was to be taken up with the consideration of important subjects; but, still, as it was the part which he had taken in this business that had drawn upon him the ill will of those who had traduced him; and as they had connected his personal character with the important business in which he was then engaged, he hoped that the committee would suffer him to trespass, for some few minutes, on their patience, whilst

he should proceed to a few remarks upon the attacks that had been made upon him. Those who made those attacks had gone out of the common path, and instead of pursuing the old sober staple of abuse, had descended to the lowest scurrilities, and fallen without mercy not only upon his public conduct, but also on his private life. They had made charges of a singular nature, and endeavoured to rob him of the esteem and friendship of those whom he valued most in society. Fortunately, however, their charges were as void of truth, as they were fraught with malice. He had, hitherto, treated them with contemptuous silence, and would have continued, in this disposition to the present day, if he had not felt some reason to think, which reason he had not heard till a few hours ago, that some of those charges were considered as founded in truth. What he more particularly alluded to were, whispers or reports of jealousies among some of his dearest friends, and of a certain opposition affirmed to have been made by a noble Duke (of Portland) against some views or expectations, which he (Mr. Sheridan) was said to have entertained concerning such whispers and reports, he could truly declare, that there was not in them one grain of truth. The opinion which they ascribed to the noble duke had never been entertained by him. Mr. Sheridan observed, that he would not venture to state to the committee the opinion that the noble duke was pleased to entertain of him, lest he should be accused of vanity in publishing, what he might deem highly flattering: all, therefore, that he would assert on this occasion was, that if he had it in his power to make the man, whose good opinion he should most highly prize, think flatteringly of him, he would have that man to think of him precisely as the noble duke did; and then his wish on that subject would be most amply gratified.

The jealousies to which he was described as having given occasion, existed only in the brain of

the traducers ; they did not, they could not exist any where else.

Here Mr. Fox exclaimed "Hear him ! hear him !" in a tone of approbation.

He was therefore, perfectly at his ease, whilst the traducers were propagating their calumnies. He defied any man to charge him with any one act which could be tortured into a violation of any engagement founded in honor and integrity. If he could be charged, in truth, with any dishonorable, mean, or unmanly act, he should feel very differently indeed ; his mind, in that case, would sting him more than the most bitter reproaches of his most calumniating enemies. As to any pretensions which might be ascribed to him to situations far beyond his natural weight in the community, he would only observe, that it was the peculiar excellence of the British constitution, that a man could push forward into notice and distinction the talents or abilities, whatever they might be, with which providence had endowed him. Mr. Sheridan, at length returning to the system of excise, said, that he then held in his hand a book, which contained only *ten* acts of parliament for enforcing the excise ; and he was bold enough to declare, that in no age, or country, had the most fell despotism pursued measures more tyrannical, more cruel, or more oppressive than those which were to be found in that book. Despotism, he admitted, had oppressed, with marked cruelty in all ages ; but never had it assumed the robe and form of law, and built up such a system of oppression as that book exhibited. It would prove an endless task to point out the various instances which had come to his knowledge of the oppressive spirit of the excise laws. He would, therefore, content himself with one. An eminent distiller, of very fair character, had occasion to dispute a judgment by which a quantity of spirits had been seized and condemned as being above proof. He maintained that they were not above proof ; that Clarke's hydrometer,

by which they had been proved, was faulty ; and that if the spirits were tried by accurately-made hydrometers, they would be found to be such as the law required them to be, and consequently not seizable. The case went to trial, and turned out to be precisely as the distiller had stated it to be ; Mr. Clarke admitted that his hydrometer was faulty, and requested that the commissioners of excise would give him leave to amend and correct it. But, instead of listening to a request so reasonable and just, they procured a clause to be inserted in a hotch-potch bill, by which it was enacted that Clarke's hydrometer should in future be the legal standard for trying the strength of spirits. This hydrometer was acknowledged by its maker to be faulty ; and yet the commissioners, so far from granting him leave to amend it, applied to parliament for an act which sanctioned error, and legalized falsehood and oppression.

This single instance must give the committee an idea of the spirit of the excise laws ; and yet the idea would be faint, and fall infinitely short of the reality. If, in the course of a trial, it was found that a person whose goods were seized, had been able to recover them, a new clause or act was proposed to meet this particular case ; so that system of excise law was not founded on any general principle, but on particular cases, and in its progress, it advanced regularly from a lower to a higher degree of oppression. Thus, for instance, in the reign of Charles II. when the excise laws began first to appear, great caution was used to secure the liberty of the subject from being wantonly abused. In the first instance, an excise officer could not break into a house, without information upon oath, without a warrant from a justice of peace, and the presence and attendance of a constable ; and no house was, even with all these precautions, to be entered by an exciseman in the night. But, by degrees, all these barriers erected for the protection of liberty, were beaten down ; the warrant from the justice was dis-

pensed with, as well as the information upon oath, and the attendance of a constable ; and at last the officer might enter in the dead of night ; nay, so far had the spirit of despotism been carried, that in the very present administration, a clause was inserted in an act for empowering even a reputed officer of excise to enter a house by night, without warrant, or presence of a constable.

Here the Attorney-General seemed to doubt by his looks, whether such a clause could have passed.

But Mr. Sheridan said it certainly had passed, after having been ineffectually opposed by himself and a worthy and respectable member for Salisbury (Mr. Hussey.) It was so gross an act of despotism, however, that during the next session of parliament it was repealed. In all the cases of trial under the excise laws, the officers and the tradesmen were not what they ought to be in a free country—they did not go into court upon equal terms. It was the boast of the English constitution, that the highest and the lowest subject in the land met in a court of justice on terms of equality ; but this equality was destroyed by the excise laws. If goods were seized, the owner became obliged to prove that they had paid the duty ; but the officer was not likewise reduced to the necessity of proving that they were seizable, until the owner should have established grounds that a jury might deem sufficient to warrant and call for the restoration of them. The officer could bring his action within three years, the trader within three months ; and the latter was compelled to give notice in writing of the grounds on which he intended to proceed ; and he was restrained, at the time of trial, from bringing any fresh ground, or giving any evidence which he had not specified in the notice : and, after all, though the jury should, on finding the conduct of the officer to have been vexatious, malicious, and oppressive, give the trader five thousand pounds damages ; yet, if the judge should certify that there was probable

ground for the seizure, the damages thus given by a jury, might be reduced to twopence. Here it might be said, that the character of the judges would not allow the supposition that any of them would favour the excise officer, at the expense of justice. He, for one, thought as highly as any man of the integrity and patriotism of the present judges; but he did not conceive it fitting that the liberty and property of the subject should ever rest upon mere confidence in the character of individuals; those who would have him submit to such a predicament, would only alarm still more his jealousy. It might, perhaps, be contended, that the sting of the excise laws was taken away by the moderation with which they were executed; and an honorable and learned gentleman (the Attorney-General) had said, on a former occasion, that, in point of fact, not more than seven and a half per cent. was levied of all the fines and penalties incurred by the traders under these laws. He admitted the moderation of the crown lawyers; but this very moderation was ground for alarm; for it shewed that those who incurred penalties under the excise laws, held ninety-two and a half per cent. of their property at the will and pleasure of the crown, and consequently were obliged to submit to any thing, rather than offend the government of the day, by whose forbearance alone they enjoyed so considerable a portion of property, which might be exacted and taken from them, under the name of penalties and fines. Lying thus at the mercy of government, their spirit was broken down; and in point of fact they became less good citizens and subjects than they were before. Upon this occasion, it would be expected that he should make some remarks concerning the trial by jury, particularly as it was mentioned in all the petitions then on the table. If there was any human institution which a man might be permitted to idolize, even with the enthusiasm of superstition, it was the trial by jury. But if it was to be continued upon no other princi-

ples than those of the excise laws, he should not deem it worth preserving ; nay, he thought that in the end it might become dangerous to the community. Men who were accustomed to see the numerous hardships and oppressions which were always the fore-runners of a trial on any of the excise laws, must, in the end, become familiarized with oppression, and lose much of the horror which it at first inspires ; and finding their verdicts frequently set aside by the certificate of a judge, they must, of course, feel less anxiety about endeavouring to apportion the damages to what they conceive to have been the extent of the injury done to the trader, when, after all their pains, the judge might reduce them to twopence. If the minister wished to make the trial by jury what it was intended by the constitution, that it should be, a shield against oppression, he would have him not merely grant an appeal from the decision of the commissioners, which would be attended with the bad consequences that he had just described, but reform the whole system of proceeding in excise cases, and place the trader contending with the excise office on that footing of equality, without which, justice could not be obtained. Under the present system, an option of trial by jury, in the last instance, would prove but a mockery. Let the preliminary hardships under which the trader labours be removed, and then he might have an equal chance for justice with the officer, which no one could say that he enjoyed at present. Exclusive of lying, as the traders do at present, so much at the mercy of the commissioners, holding, as they do, ninety-two and a half per cent. of the penalties incurred under the excise acts, at the mercy of those commissioners, how often would they dare to assert their right, and endeavour to do themselves justice, when, by attempting to do so, they might expose themselves to the resentment of the board, and to consequent ruin ? Mr. Purvis exhibited a striking instance how a man's spirit might be broken down

under such circumstances. He, like other tobacco-nists, reprobated, in the strongest terms, the act for excising tobacco; and yet he would not venture to join them in endeavouring to procure a repeal of it, lest he should expose himself to the vengeance of government, by resisting one of its acts; and excite their indignation by applying to any gentleman in opposition to lend his aid on the occasion. The officers of excise, without any one motive to treat with respect the liberties of the people, had some temptation to endeavor to destroy them. The legislature had deprived those officers of their elective franchise, by an act for which, it was true, he himself had voted; but when he did vote for it, he gave way to the high opinion which he entertained of those who had proposed it, rather than to the dictates of his own judgment; for he held the birth-rights of men to be too sacred a property to be taken from them without evident necessity. However, so it was, that all persons employed in the collection of the revenue, were so far disfranchised, that the legislature would not suffer them to vote for members to serve in parliament. Smarting under this disfranchisement, they might go forth in the pleasing hope, that they should have opportunities of revenging the affront they had received, by harassing and oppressing others; these were the persons who were to be the public spirited destroyers of smuggling, and the restorers of fair and honest principles of trade. He would leave it to the committee to judge how well qualified they were for such a task. How could degraded teachers, reprobated reformers, and excommunicated missionaries, introduce a new system of fair dealing! They were sent forth with brands upon their back, and scourges in their hands to put down smuggling, and establish a system of commerce equally useful to government and to the trading interest.

As to the country gentlemen, they had of late seemed to think that questions of commerce did not

regard them ; that in such questions they had no interest ; and that the trading part of the nation was bound to attend to them. But this was a very wrong opinion ; and he could prove to them that not only they had an interest in all questions of trade, but that they had a greater interest in them than even the merchants and traders themselves. This proposition was not new ; it had been first advanced by Mr. Locke, a man whose opinion would be received as authority, not only in the house of commons, but in all other places. Would the country gentlemen please to explain in what manner they thought that the national debt was to be paid off ? At present the land stood pledged for the payment of it ; and as it did not suffice for the discharge of so immense a debt, the surface of the land, the flocks and herds that grazed upon it, the ore dug from its bowels, must for ever stand mortgaged for it, unless redeemed by that which bids defiance to space or time—the inexhaustible resource of trade, aided by the irresistible energy of enterprize, under the management of inviolable fidelity to engagements, and directed by the wisdom of the legislature to the most eligible objects. It was trade alone, then, that could relieve the land from the immense burden of debt under which it groaned ; and therefore the country gentlemen were deeply interested in every question of commerce ; and more so even than those by whom commerce was carried on. In general, the traders had not a permanent or hereditary interest in trade ; it was their wish to get out of it as soon as they could ; and, therefore, they might pursue such measures as would speedily enrich themselves, but leave trade not worth the pursuit of those who might come after them. But the case was different with the land-owners ; as they must wish to see the land freed from the incumbrances of public debt ; and as this could be done only by trade, it was their interest to take care that no measure was pursued which could check or

cramp its operations, either at present or hereafter; and consequently there was not a set of men in the nation so much bound to resist the shackles imposed on trade by the excise laws. Mr. Sheridan observed, that it was not his intention to say much about the manner in which the act for excising tobacco was framed, though he might be tempted to animadvert severely upon it, the house being in a committee, and the Speaker not being in the chair; yet, were he to say that the act was "a heap of contradictions and absurdities, thrown together by some person who could write but could not read," some gentleman might not fail to call him to order, and tell him that it was disorderly to allude to what had passed in another place, and that he must not state the highest law opinion in the kingdom on this act, because that opinion was given in a place to which the rules of the house would not suffer its members to allude.

The treasury seldom gave itself much trouble about the formation of bills of revenue, but left it generally to the respective public boards to frame them. The process was much like that of the manufacture of tobacco. The bills were presented in the stork or short cut, to the boards, by some of the chief members; there they were dried, and thence sent to the Treasury mill to be ground and sifted; they received a little infusion in a preliminary and recommendatory speech from one of the great law officers of the crown, and then an application was made to the house of commons, as merely for permit. Such was the usual process, from which who could expect a complete and perfect manufacture? Mr. Sheridan observed, that from the mass of evidence which had been given on the subject of this act, he would draw two conclusions, to which he was convinced that no honest man, listening only to the voice of reason, could refuse his assent. One was, that the act, so far from being calculated to prevent smuggling, absolutely encouraged it, and

provided a secure asylum to protect its growth. The other was, that the operation of the act must necessarily end in the destruction of the fair and licit trade, and the establishment of smuggling on its ruin. He next remarked, that it was scarcely possible for any man to point out clearly, and beyond all doubt, in what part of the kingdom the trade of a tobacconist might be carried on; for the clause respecting this in the act, was enveloped in such obscurity, that a man could hardly guess at its meaning. In all other businesses, the officer was obliged to go to the manufacturer; but, under this act, the manufacturer was obliged to go to the officer; the mountain was compelled to go to Mahomet. It might be imagined that the Board of Excise would rest satisfied with the power of sending its officers to break into our houses at their pleasure; but that, it seems, is not enough, we must carry our houses to them, that they may kick open the doors at their leisure. They say, "Bring us that mill and stream from the valley; we cannot go so far from home to survey it." But such language was warranted by the principle of the act, which would not suffer the manufacture to be carried on, except in cities and market towns within five miles from the coast. It was obvious that the act would totally destroy the export trade of manufactured tobacco. It limited the exportation to the island of Jersey; and left it in the power of the commissioners of excise, who should export it to Jersey; as the act provided, that none should be at liberty to export, without a license from the commissioners, who were not bound to grant it to the first who should apply for it, but might give it to any favorites whom they chose to select from among the manufacturers at large. The ground of the limitation was observed—it was, that the manufacture might not be smuggled back into England from Jersey. But this was a poor preventive to smuggling; as the people could provide themselves

from Holland or America, with any quantity for which they could find a vent. The export trade to foreign countries must be greatly injured, if not totally destroyed, by the act. In the first place, the price paid for licences was proportioned to the quantity of tobacco manufactured, and consequently, it ought to be considered as a tax; which must raise the articles in the foreign markets. This was contrary to every sound principle of trade, which condemned all burdens laid without absolute necessity, on articles of exportation. When the shop tax was proposed, the right honorable gentleman respected this principle; for he exempted from it all persons keeping warehouses, and carrying on an export trade. The present act, militating against that wise principle of commerce, ought, therefore, to be repealed, as tending to injure our foreign trade.

There was another way in which this act would injure, if not at last destroy our export trade of manufactured tobacco; and that was, that if a tobaccoist was in the act of getting ready to execute an order from abroad, he must suspend his work, if the excise officer should come to take a survey; he must attend him whilst weighing the stock; and many hours, perhaps some days, being lost in this business, the vessel, in which he was to ship the goods, ordered by his foreign correspondent, being probably obliged to put to sea in the mean time, the order is lost, and so perhaps is the customer for ever—for, not to be subject to such disappointments, he, perhaps will send his order to some other country; and thus, in the end, might this valuable branch of trade be transferred to some other nation, and entirely lost to this. Next, as to the encouragement which the act gave to smuggling, though its avowed object was to support it. Formerly, the difficulty which attended the smuggling of tobacco, was, that even after it was landed and housed, it was still liable to seizure. But this difficulty was completely removed by the present act; for, the

moment it got under the roof of the tobacconist, it was as sacred as if it had paid duty; the very officers of excise who had been examined at the bar, had all admitted that there might be great quantities of smuggled tobacco on the premises of the manufacturer, without their knowledge; nay that they might see it without being able to seize it. From papers then on the table, it appeared that there were 337 wholesale dealers in manufactured tobacco, and 60,000 retail dealers. Formerly, the smugglers could deal only with the former; but now, as every country retail dealer was a manufacturer, and could have smuggled tobacco in his house, without any danger of its being seized, the act of course increased the possible customers of the smugglers from 337 to upwards of 60,000. The obvious consequence of the hardships of the act would be, that the great manufacturers would feel themselves reduced to the necessity of quitting their trade;—and the obvious consequence of the increased number of customers to the smugglers, would be the ruin of the revenue, which this act was to make more productive. Among the many hardships of the manufacturers under this act, there were two of a very serious nature. One, that from the nature of the atmosphere, the manufacture might, from the moisture or dryness of the air, lose or gain more in weight, than the table laid down in the act allowed. What then was the manufacturer to do? He could not answer for the state of the atmosphere; and if his goods had decreased in weight through heat, or increased through moisture, without any act of his, to a degree beyond the standard established by the act, then was he liable to ruinous fines and penalties. The commissioners, before they could, in justice, levy these fines, ought to ascertain that the weather will always be in that precise state of heat or cold which the act supposed it would be. They ought to make Christmas give security for frost; take a bond for

hot weather from August; and oblige damp and fogs to take out permits. It was true that it had been observed, that where the increase or decrease, beyond the allowed table, appeared to have been really the effect of the weather, and not of any intention in the manufacturer to defraud the revenue, the commissioners ordered the goods, if seized, to be restored and the penalty remitted. But he had two strong objections to this exercise of illegal mercy by the commissioners. First, it gave them a dispensing power, which parliament had not thought proper to allow even to the king; and secondly, this dispensing power might be used to very bad purposes. When the law was harsh and severe, and the executive power indulgent, and willing to soften its rigor, the people would be led to dislike their own representatives, who could pass a rigorous law, and to fly to the crown for relief against it. If a dispensing power could be tolerated it must be when the benefit of it was general, and extended, without exception, to every class of subjects without distinction; as was the case when an act of parliament ordered all vessels that were of a particular construction to be destroyed. It was soon discovered that the execution of so impolitic a measure would ruin thousands of poor fishermen on the coast, whom the legislature had not within their contemplation at the time when the act was passed, though the letter extended to them as well as the smugglers who were the objects of the act. What could prove more impolitic, than to pass any act which, in the execution, would ruin the country? It was wrong that the executive government should be so careless in preparing bills as to propose such as it must afterwards (by what might perhaps be called a not illaudable violation of the constitution) not suffer to be executed. In case of those fishing boats, however, the evil was not so great; because the dispensation was general, without any respect to persons. But in the case

of remitting fines to manufacturers who should have incurred them, an inquisition might be set on foot into the life and political principles of each individual; and those only might feel the indulgence of the commissioners who should be found to be the friends and supporters of the subsisting administration. Were a man, whose stock had increased or diminished beyond the standard table in the act, to attend the commissioners, and assure them that the weather alone had occasioned the increase or decrease of the article, and that no fraud whatever had been used on the occasion, the commissioners might say to him, "Sir, you need not give yourself so much trouble to prove your innocence; we see honesty in your orange cape."

But should a person of quite a different side in politics, attend for the same purpose, the commissioners might say, "Sir, you are not to be believed; we see fraud in your blue and buff, and it is impossible that you should not be a smuggler." Perhaps (Mr. Sheridan remarked) he should be told that it was not liberal in him to suppose that the commissioners would be capable of acting in this way; but he was warranted, by the authority of the law, in entertaining a constitutional jealousy of men, whom the law considered as unfit to sit in parliament, or vote at elections, on the supposition that they were not free agents, but under the influence of the crown. When the manufacturers were under examination at the bar, they had not let fall any expression which might intimate that it was their intention to quit the trade, if the act was not repealed; they thought that such an intimation would not be decent in them, as it would appear like a threat; but what their respect for parliament would not suffer them to utter at the bar, they had said to him in private; and he believed, he might assure the committee, if the bill was not repealed, the tobacco manufacture would be lost to this country. Indeed the evidence of Mr. Baker, who made the cutting machines, proved

that the danger was nearer than gentlemen might apprehend; it proved that orders from abroad for those machines had increased, whilst the home orders had greatly diminished. One hardship, perhaps, greater than any other, considered in a mere commercial light, which the manufacturers suffered under this act, was, that the mysteries of their trade were laid open, to the irreparable injury of their families and fortunes. Of the value of some of these mysteries the committee might form an idea, when they recollected that it had been proved in evidence that one manufacturer had refused 20,000*l.* for the disclosure of a secret in the manufacturing of tobacco peculiar to himself.

Mr. Sheridan now asked the Chancellor of the Exchequer, what were the mighty advantages gained by the revenue, which could be considered as a compensation for such hardships and encroachments? To shew that the advantage to the revenue was not such as could induce the legislature to continue so oppressive an act, he calculated what the customs on tobacco had produced before the act; and what the customs and excise on the same article had produced since. In the first winter half year, after the act passed, the produce was 294,000*l.*; the produce of the second, or summer half year, was about 317,000*l.*; in all 611,000*l.*; from which about 51,000*l.* should be deducted; because, though having been actually levied upon the article within the year, it was for several reasons not to be considered as likely to prove a permanent part of the gross produce of the revenue on tobacco, but rather as occasioned by a temporary cause, which probably would never return; this would reduce the revenue on this article to 560,000*l.*, which was just 25,000*l.* more than was collected on tobacco before this act passed. Would any man, to whom the rights of the people were dear, for so insignificant an increase of revenue invade those rights? But above all, would he, for such an increase, risk the loss of the

whole ? which he verily believed would be the case if the act was not repealed. If the minister wished to avail himself of the resources which he could still find in a new regulation of the revenue, he might raise a very considerable supply without laying any fresh burden on the people, or abridging their liberties. In the customs there was great room for improvement if the Treasury would give up its patronage. He did not mean "to disclose the secrets of the prison-house," from having been in it; but every one knew that the business of excise was better conducted than that of the customs, merely because the patronage of it was in the board of excise, which was responsible for the conduct of all its officers. But in the customs it was different. The coasts of the kingdom were parcelled out into various districts; and persons were appointed to those districts by the Treasury; not because they had superior ability or merit, or were disposed to shew themselves enemies to smuggling, but because they were recommended from quarters in which recommendation, on account of election interests, was irresistible. He meant not to cast any particular reflection on the present treasury board; its conduct on this head was perhaps the same as that of all boards which had gone before it. All he meant was, that if a minister would dare to be bold in the cause of his country, he might make the customs infinitely more productive than they were at that moment.

Towards the close of this speech, Mr. Sheridan mentioned a hard case, perhaps little known, of a gentleman's coach and horses being liable to be seized if he took two pounds of snuff with him into the country; and that they were forfeited if seized after five o'clock. He declared that he saw no reason why the house of the honest, industrious manufacturer should not be as safe and as sacred as the proudest mansion.

He instanced the spirited conduct of Mr. Ed-

dowes of Chester, who, at the expense of a great part of his private fortune, had maintained a contest with the corporation of Chester, on a public occasion, in which he had no other interest than a desire to check oppression, or what he thought oppression. That Mr. Eddowes (whom he could shew to a foreigner, and say, this man has spent the income of a petty German principality to do a public justice), after being examined at the bar of that house, and saying, that he had been obliged to deceive the officers, was treated with an agreeable companion in a stage coach the next day, who proved to be an exciseman, and who, the day after their arrival at Chester, kept him fourteen hours in his manufactory weighing his stock. Mr. Sheridan conceived that the naval service of this kingdom might, with honor to itself, and great advantage to the nation, be employed in the collection of the revenue. Though he was of opinion that the tobacco act ought to be repealed, still he did not intend to make a motion to that effect; because the minister might then say that he would modify the act, and render it less objectionable; but his object was to withdraw the tobacco totally from the management of the board of excise. Upon this principle, it was his intention to move a proposition which should shew that it ought not to be excised at all. Mr. Sheridan now concluded his remarks by moving the following short resolution: "That the survey of the excise is inapplicable to the manufactory of tobacco."

Mr. Pitt, Sir Grey Cooper, Lord Carysfort, Mr. Wyndham, Mr. Fox, Sir James Johnstone, Mr. Grenville, Colonel Fullarton, Mr. Dundas, Sir Richard Hill, Mr. S. Thornton, Alderman Watson, Mr. Thornton, and others, having delivered their sentiments,

Mr. Sheridan rising a second time observed, that notwithstanding that he might claim a right to speak more than once in a committee, and notwithstanding that it was usual, when the house was not in a committee, for it so far to extend its candor, as to permit the mover of any proposition to rise in reply

at the end of the debate, he was not insensible of the indulgence he had already experienced at the hands of the committee, and therefore should not long trespass farther on their patience ; and it was, he thought, the more necessary, as in the course of the debate he imagined that he had perceived some symptoms of members having made up their minds on the subject. He should begin with what had been said by an honorable baronet (Sir Rich. Hill) over the way, who had appealed to the landed interest to support the bill of the last year, and complained in bitter terms of the loud clamor made whenever the trade of the country was touched, saying, that if a single bristle was plucked, it grunted and made a strange kind of noise ; but that the landed interest was like a sheep ; it stood still, and would let you fleece it again and again without a murmur. The honorable baronet unfortunately forgot, that he was, in the very moment, furnishing an instance in his own person, that the landed interest was not always so passive, and he had forgotten likewise that he had paid the right honorable gentleman a curious compliment, by ending his speech with saying, that the right honorable gentleman had voted for the excise bill (of which he complained so loudly), because the administration of that day was tottering in their seats, and he saw that he should soon come into power. With regard to the situation which he had holden, when the case to which the honorable baronet alluded, had taken place, and which the honorable baronet had described as the most enormous extension of the excise laws ever practised ; the honorable baronet had done him more honor than he merited, the place which he filled at the time, being merely a subaltern and subordinate situation ; but, he would not answer what the honorable baronet had so pointedly urged against the Chancellor of the Exchequer of that day with any argument ; he would answer it with his name ; it was Lord John Cavendish, and

the measure alluded to, which had been so well explained by the worthy magistrate near him, had been received, whether by grunting or groaning he could not say, but with as much unjust clamor as any measure ever experienced. The whole story, however, the honorable baronet had introduced with less novelty than generally belonged to his facetiousness of anecdote. Mr. Sheridan next proceeded to take notice of (what he termed) the misrepresentations of the right honorable the Chancellor of the Exchequer, who (he remarked) had treated him, the bill, and the manufacturers all alike, having mis-stated his arguments, misrepresented the manufacturers, and misconstrued the act of parliament. Possibly the right honorable gentleman might think what he made rather an uncivil description of his argument; but the right honorable gentleman would recollect that he had himself, in the beginning of his speech, applied terms equally harsh and grating to what had fallen from him. The right honorable gentleman was the only person who had affected to disbelieve the manufacturers, although the manufacturers had, last year, delivered precisely the same evidence at the bar of that house, and afterwards confirmed it upon their oaths at the bar of the house of lords. If the right honorable gentleman had doubted the truth of the evidence of the manufacturers, it was his duty, in justice to himself, and in fairness to them, to have called other witnesses to have disproved what they advanced. Not having done this, he had no right to doubt the veracity of men as honorable as himself, and as incapable of acting dishonestly with respect to the revenue as the whole board of treasury itself. It was but justice to the manufacturers, that he should say thus much in their behalf, and at the same time complain of the unfair manner in which the right honorable gentleman had commented on the evidence of Mr. Postlethwayte, who had expressly stated at the bar on what principle he made his

calculation of encreases; and, therefore, in his abstract of the evidence, necessarily and naturally adhered to the same principle, and separated what was termed the return from the roll tobacco. The right honorable gentleman taking advantage of that part of his argument which reprobated the oppression and tyranny of the system of excise laws in general, had charged him with wishing to pull down the whole system; and, thus, at one stroke annihilate six millions and a half of yearly revenue. This was a most unfair way of meeting his argument, and the right honorable gentleman seemed to have forgotten, that, wherever any extension of the excise laws was under consideration, it was usual to argue the question in that house, not on the narrow ground of the particular hardship on the point of being inflicted upon the individual in the particular instance in question, but on the broad constitutional ground, with a view to the danger in which the extension of those laws threatened to place the freedom and liberties of the people.

This had been the case in the cyder tax, when in the course of debate it had been said, *non Cæsar pulsante manu*. "The winds of heaven and the elements may enter the cottage of the peasant, but not the king, without the peasant's permission." This was not a mere flight of poetry; but at once, a lively, fanciful, and forcible effusion of the mind, founded on what he considered as the good old English proverb, "that every man's house is his castle," which was in fact the very essence of Magna Charta. He need scarcely add, that the person who had used the expression which he had just quoted was the Earl of Chatham, who had not thought it wrong to argue the question of the cyder tax upon the general principle of the excise laws, and their constitutional tendency. But there was a manifest inconsistency in that part of the Chancellor of the Exchequer's argument, in which he charged him with wishing to pull down the whole

system of excise ; and in the same breath had declared, that he (Mr. S.) was willing to leave the manufactures of soap, candles, starch, and all the rest of the manufactures at present subject to the excise under the oppression and tyranny of those laws. It was absolutely impossible, as the committee must see, for the two things to be true, because they directly militated against each other. Another point in which the right honorable gentleman had totally mis-stated him, and in which, indeed, his right honorable friend near him had also a little misconceived him, was, in respect to trial by jury ; both imagining that he disapproved of a trial by jury, in cases of excise. He had expressly declared, that if a general reform of excise laws were to take place, he saw, that such a case trial by jury, might be applied to them as a part of that reform ; but he had asserted, that he would not accept of trial by jury being proposed by a minister, in a singular and particular case, by way of decoy, and in order to delude the house and the public into an acquiescence with the application of the excise laws to the manufacture of tobacco. He would not graft, or approve of a graft of that kind, on so vile a being, convinced that the tree could not produce such fruit, and that so beautiful and excellent a head as a trial by jury ought not, in that manner, to be annexed to so deformed a trunk. The right honorable gentleman persevered in maintaining that the manufacturers had kept back some intelligence from him, and had to thank themselves if he did not do them all the justice that their case might require. The fact was, that when he (Mr. S.) found them in town, and prepared to propose a repeal of the act of the last session, he had, at their very first meeting, advised them not to apply to the opposition, but at once to the Treasury, and endeavor to get redress, through the medium of His Majesty's ministers, which, in all matters of revenue and finance, he was ready to confess, he thought the most proper hands

for alterations of the revenue laws to come from. The answer they gave him was, that they had been at the treasury with the secretaries, and had seen Mr. Pitt, and that their reception did not encourage them to hope for success; and, therefore, they were determined to apply to parliament, through the medium of opposition, wishing that their case should come before that house and the public. But the right honorable gentleman's mode of treating the manufacturers was curious. They go to him, and tell him, "that their objections to the bill were fundamental; that no amendment, no modification of it will meet their ideas; they object to the principle, and nothing short of an actual repeal can satisfy them, as they must, at all events, have the excisemen kept out of their manufactory." Having stated this, the manufacturers ask the right honorable gentleman if he will consent to give up the principle? The right honorable gentleman answers "No; the principle must not be abandoned; but, do you inform me how I shall alter the bill." This the manufacturers refuse; and they wisely refused it, in his opinion; for, what was it but the minister's saying, "I have a yoke to put about your necks, do you help me in fitting it on; only assist me with your knowledge of the subject, and I'll fit you with the prettiest pair of fetters that ever were seen in the world." With regard to the right honorable gentleman's argument, that there was a great increase of revenue in consequence of the act continuing in force, he held that to be no argument at all. He never wished to count the money, when he was certain that the purse which contained it, with all its contents, were stolen. Every person knew that the right honorable gentleman could make out an account so as to give any calculations he chose to bring forward, at least a plausible appearance. The right honorable gentleman had calculated three several ways, saying to the committee, "Take it this way and you have fifty thousand

pounds. Take it this other way and you have seventy; and take it this other way and you have one hundred and thirty." There could be (Mr. Sheridan added) only one fair and true mode of calculating what the produce of the tax, while under the excise laws, was. This mode he had stated, and it was clear that the utmost increase they could expect was but very trifling indeed; but if the right honorable gentleman's highest calculation of increase were founded, he should still be of opinion, that the bill ought to be repealed. With respect to the manufacturers having told the minister that their objections to the bill were fundamental, and went to the principle of it, which he had refused to abandon; he ought not to talk of their having withholden information from him, because of what use could any information they might possess be of to him, when he had declared he would not, at any rate, comply with their requisition? Mr. Sheridan next adverted to what had fallen from Sir James Johnstone, who he understood had censured him for having cast an imputation on the Board of Customs. So far from that being the fact, he had expressly stated a wish that the Treasury would give up the patronage of the custom house, and vest the power of managing the revenue and customs, and appointing officers in the several subordinate situations, in the board of commissioners. This surely was paying the board a compliment, by giving them a preference over the lords of the Treasury. He never had heard such unconstitutional reasons urged within those walls, as had been stated by a noble lord opposite to him (Carysfort) for applying the excise to tobacco and its manufacture. The noble lord had contended that tobacco was a luxury, and therefore a fit object of taxation; and that the most efficacious way of making it productive was to put it under the excise laws. But, because tobacco was a luxury, were those who were concerned in its manufacture wholly unworthy of protection, and

fit only for oppression? Had the noble lord forgotten that there were beings called men, who were manufacturers of tobacco?—that those men were their fellow subjects, entitled to the enjoyment of the same rights and the same privileges as themselves?—was it then the article being a luxury, that distinguished it from other manufactures, and rendered the animals about it more fit for oppression, and less worthy of the blessings of the constitution than other manufacturers? The noble lord also had argued, that the less tobacco was exported the better. That was as anti-commercial a principle as he had ever heard; but the practice of collecting taxes in France had been recommended by the noble lord. Surely, when France happily had thrown off the yoke of oppression, we were not going to pick up the discarded trash of tyranny, and deck ourselves out in the cast-off dirt and dregs of despotism? He did not mean at present to go farther into the subject of France, nor should he forbear from any apprehension of differing in opinion with any other person, more especially with one (Mr. Burke), for whose talents and personal virtue he had the highest esteem, veneration, and regard, and with whom he might be allowed to differ in opinion upon the subject of France, persuaded as he was that they never could differ in principle; all, however, which he would say farther on the subject was, that he hoped, when the new constitution of France should be settled, it would prove such as would secure the blessings of liberty to the subjects of that kingdom, having ever been of opinion that it was not right that this should be the only free country in Europe; but still hoping that, as we had hitherto preserved the glorious superiority of being the only spot in which the subjects were governed, not by the will of individuals, but by laws which they made for themselves, we should continue to be pre-eminently free, and have no badge of slavery fastened unnaturally on our constitution. After ex-

pressing a wish that the noble lord would cherish doctrines more congenial to that zeal for the constitution, which he had manifested in the early part of his speech, than he had afterwards breathed, Mr. Sheridan proceeded to take notice of Mr. Dundas's defence and repetition of what he had formerly said relative to the extension of the excise laws in future. It happened, he observed, that the paragraph to which the right honorable gentleman alluded, contained one ingredient somewhat different from what he (Mr. Sheridan) had talked of as conformable to the standard of staple newspaper abuse : the assertion stated to have been that of Mr. Dundas, was very near the truth, for the right honorable gentleman had himself confessed, that what he had on a former occasion said, was neither more nor less than, " That when a new tax to raise a large sum should be necessary, every gentleman well knew that it could not be rendered productive in its collection, without the application of the excise law." Another right honorable gentleman (Mr. Grenville) had avowed the doctrine of pushing the extension of the excise laws in a broader manner than any other gentleman, and had said, that by only placing three hundred and thirty-seven persons more under the excise laws, the revenue obtained one hundred and thirty thousand pounds a year. This was appreciating the liberties of Englishmen, and the first instance of the kind which they had ever heard. As the right honorable gentleman was an excellent calculator, he would recommend him to form a table of the prices of freedom, which he was persuaded he could do with much greater accuracy than the tables of increase in tobacco. In a short time he should then expect to see, at one view, the different appreciation of the rights and liberties of every description of persons. Perhaps it would run, thirty pounds for the liberties of a man, twenty pounds for those of a woman, fifteen pounds for those of an apprentice, ten pounds for breaking into

your house in the night-time, and so on in an equal graduation. Mr. Sheridan at length, came to the declaration of Mr. Henry Thornton, that he would vote for the repeal of the act of last session, or any motion relative to it short of the declaration contained in the question then before the committee: that the survey of the excise was inapplicable to tobacco. He contended that his motion was, in fact, tantamount to a motion for an actual repeal; but that in the hurry of committing it to paper, he had omitted to state it in the manner, according to which the committee would themselves recollect he had opened and argued it. Instead of its standing nakedly, "That the survey of the excise was inapplicable to tobacco," he meant to have worded it, "That it appeared to the committee, from the evidence of the manufacturers, that the survey of the excise was inapplicable to tobacco." It was perfectly immaterial to him what the motion was, upon which he took the sense of the committee, provided that it met the points which his arguments went to enforce; and, therefore, as it might save the committee the trouble of two divisions, and accommodate the honorable member for the Borough, he would, with the leave of the committee, withdraw the present motion, and move at once "for leave to bring in a bill to repeal the act of the last session, imposing certain duties on tobacco, subject to certain regulations of excise.

This being adjusted, the committee divided; ayes 147; noes 191.

APRIL 19.

WAYS AND MEANS.

*Mr. Pitt opened the debate by stating the various articles of supply which had been voted, and afterwards the amount of the annual revenue. He concluded by moving—"That it is the opinion of this committee, that the sum of 2,300,000*l.* be taken from the consolidated fund, and applied to the service of the current year.*

Mr. SHERIDAN declared, that it would have given him great pleasure, if he could have reconciled it to himself to have continued wholly silent, without appearing either to disturb the flattering prospect which the right honorable gentleman (the Chancellor of the Exchequer) had presented to the committee, or to depreciate the calculation on which he had claimed the confidence of the house; but the right honorable gentleman had himself declared, that it had proved the greatest glory of the house of commons when they manifested the courage to face their situation, and to state the truth of it, however unpleasant the task. On this ground, he felt himself compelled to maintain every one of his former calculations; and whilst he agreed with the minister in his general principles, and in his statement of the growing prosperity of the country, completely to disagree with him in the single fact, that our income was equal, or nearly equal, to our expenditure. He had never spoken in a desponding state of our resources; on the contrary, no man thought more highly of them, if judiciously applied. But his opinion was founded precisely on the principle which the right honorable gentleman had dwelt so much on; and this was a sanguine confidence in the energies derived from our constitution, and the exertions which belonged to our national character. This the right honorable gentleman had well called the vital principle of our commercial prosperity; but it was one thing to call it so, and another to act on that conviction. He rejoiced to hear him admit the principle, but he should rejoice more when he saw him abstain from violating this vital principle, by arbitrary checks on the liberty, security, and industry of the subject. The right honorable gentleman had stated the amount, in a complicated manner; the usual forms and practice justified some part of the mode, which was intelligible to a very few. The method he should pursue was simply to compare the actual income with the actual expendi-

ture ; this he would do on the average of the four past years, and the present year. Mr. Sheridan then went through a variety of calculations from papers on the table, from which he contended that it was evident that the average annual income of the four last years was 15,723,000*l.* and the annual expenditure was 17,140,104*l.* Excess of the expenditure, including what was called the surplus million beyond the income of each year, two millions and some thousand pounds. Mr. Sheridan then stated the extra and temporary resources, by which this deficiency had been made up, and the actual addition to the unfunded debt, independent of the loan of last year, which had been contracted while we were pretending to reduce our funded debt. He then waved all unfavorable inferences from this review of the past, and resorting to the figures, which he had taken down from Mr. Pitt's own statement that day, he called on the committee to see how the account really stood for the present year. The Chancellor of the Exchequer had taken the best average he could, that of the three last years. This account made the average income 15,720,000*l.* and this was the income which the right honorable gentleman calculated at for the present year. He would say nothing to impeach this average, though much might be said, particularly with respect to the manner in which the arrears of the land and window tax had been whirled in, and added to this year's produce, and the annual malt duty being taken above its actual amount. But, how did the head of expenditure stand upon his own figures, and on demands not to be disputed ?

Navy	—	—	£2,200,000
Army	—	—	1,870,000
Ordnance	—	—	4,57,000
American Loyalists	—	—	2,74,000
Miscellaneous Expenses	—	—	328,000

Total. £5,129,000

Add to this, interest of debt	£9,275,000
Paid for reduction of debt	1,000,000
Civil List — —	900,000
Interest on Exchequer Bills	258,000
Charge on Aggregate Fund	64,000
The Appropriated Duties —	66,000
Militia — —	91,000
Increase of Navy Debt this year	150,000

£11,804,000

Add Services of the year 5,133,000

Total of this year's expenditure at
present demanded — £16,937,000

But, as Mr. Sheridan observed, there were many matters omitted, as paying for finishing Somerset House and Carlton House, he was confident that he understated the year's expenditure when he put it at seventeen millions. Here then the matter was brought to a narrow compass, the utmost income the minister pretended to reckon on, was 15,723,000*l.* the difference, therefore, amounting to nearly 1,300,000*l.* was the actual deficiency between our income and expenditure.

Here, Mr. Sheridan declared, he made his stand; if the right honorable gentleman's principle was right, that the truth ought to be known: here was a statement which admitted of no possible dispute; for every figure of it was taken from accounts upon the table—if it was answered, that we were not yet arrived at the peace establishment, and that the expenditure would be greatly reduced; to that he would say nothing but to impress on the minds of the committee the indispensable duty of looking to the performance of these promises; otherwise, after all the pleasing prospects which were offered to us, and the eloquent congratulations of that day, the obstinate and unfortunate fact would be, that we were a government expending considerably more than a million beyond our income. Mr. Sheridan

adverting slightly to the advantages which we reaped from the calamitous situation of the rest of Europe, thought sufficient allowance had been given for this by the Chancellor of the Exchequer, when he mentioned the subject; but he would not urge it, because it was the only source of our prosperity which could not be dwelt upon with pleasure.

He next mentioned the resource of the lottery, and regretted that it should have been so triumphantly announced to the committee. He contended that the ultimate and permanent loss to the community in the injury done to the industry and integrity of the lower class of people, outweighed infinitely, any temporary gain which the minister could derive from it. He opposed it, therefore, on the same principle (and he had uniformly done so) that he opposed the extension of the excise, because it was part of a system which looked to a momentary gain at the expense of those sound and superior principles which formed the true foundation of our prosperity. He looked not to the Exchequer for the produce of a lottery, but to the Old Bailey; not to the temporary advantage to the state in a pecuniary point of view, but to the exports to Botany Bay. In conclusion, Mr. Sheridan repeated, that he felt a sincere satisfaction at the general prospect of the country's being in so flourishing a situation.

Mr. Pitt endeavoured to point out the alleged fallacy of Mr. Sheridan's reasoning, and the supposed erroneous foundation on which he had built his comparison, and their assigned reasons to prove, that all that part of his speech which tended to take from the conduct of having paid off nearly six millions, was exposed to question, and even to confutation, &c. Mr. Fox next spoke.

Mr. Sheridan rising a second time, remarked, that if he could judge from the manner of the right honorable gentleman, he appeared to have reserved the mildness of a peace establishment for his right honorable friend, (Mr. Fox) and had hoarded his hostile spirit for him. He might as well, however, have shewn, that

Grim-visaged war hath smooth'd his wrinkled front:

because the right honorable gentleman well knew, that when he felt himself on right grounds, this spirit was not apt to weigh much with him. He declared besides, that he should have answered with equal hostility, had not some time elapsed, and his feeling subsided. The point in contest between them was, whether they were likely to have a reduction of the expenditure next year, so as to provide for the surplus of a million? In the whole of the right honorable gentleman's system, there did not seem the spirit of making a reduction likely to bring the expenditure within, or even nearly within the estimate of the committee of 1786. How was he to make it? Was the army to be reduced? Or the ordnance prodigality to be curbed? High sounding sentences of prosperity, were very pleasing to the ear; but in matter of figures and account, the subject must be more closely examined, and he should continue to repeat that our income was not equal to our expenditure, till it was proved to be equal. With regard to lotteries, he had, perhaps, had greater opportunity of knowing their bad consequences than most gentlemen. He was persuaded that if those consequences were as well understood by the committee in general, there could be but one opinion on the subject. Having brought in a plan for the regulation of the police of Westminster, which the right honorable gentleman would not reproach him with having abandoned (as it was abandoned by administration, and not by him) he had come at facts which proved that lotteries were most fatal in their consequences. Mr. Sheridan explained this declaration relative to the police of Westminster, by stating, that a plan for regulating that police, had been framed by a barrister, and brought forward from Lord Sydney's office; that he had cordially assisted in making it, and given every help in his power, though it was not to be known that he did so, nor was he to derive any credit from it: that he necessarily had many conferen-

ces with the Westminster justices, and they produced to him a pawnbroker, who said, that he never had such a number of things brought to him in the course of the whole year, as during the drawing of the lottery. That first, the men brought their tools, then the women their clothes, and one thing after another, till at length they brought even the light silver clasps out of their children's shoes, and at last such a picture of penury, distress, and despair was exhibited, as must make every man of the least feeling shudder. That picture justified him in asserting, that let the profit acquired from the lottery be ever so great, he should reject it, as the base gain derived from a vile and pernicious plan of playing upon the worst passions of the poor and laborious rank of people. Perhaps the right honorable gentleman and the committee might think him too warm; but he could not avail using the strongest language of reprobation, when he perceived that our prodigality equalled, and even exceeded our income, and that we were imprudently most serious in providing means of expense, when our enemies were sunk into a state of debility.

The resolution passed.

APRIL 21.

EXPENDITURE OF THE PUBLIC MONEY IN THE
ORDNANCE DEPARTMENT.

Mr. Courtenay moved, "that a committee be appointed to examine into the expenditure of the public money, under the administration of the present Master-General, and Board of Ordnance, from the 1st of January, 1784."

Mr. SHERIDAN expressed his concern, that he had not been present in the early part of the debate, and then proceeding, rested the question on three issues: first, that the noble duke had declared, that he would state the accounts yearly, and had not

done so for four years, till called upon to produce them ; next, that he had put the public to an unnecessary expense ; and, thirdly, that the estimate on the table was false and fallacious. When the corps of royal engineers was proposed to be reduced, the noble duke stated his motive for avoiding that reduction, and desired to use the men as military artificers. This the house granted, and the next year, the noble duke averred the men were totally unfit to act in that capacity ; and he desired to have a new corps formed of artificers. The honorable gentleman had boasted, that when an account was called for, the Ordnance Board had presented one in a short time ; but why was it not every year laid on the table, according to the noble duke's promise ? After a variety of other observations, Mr. Sheridan next remarked, that the Chancellor of the Exchequer had commenced his speech with a panegyric on the order of that house. He was ready to admit that the Speaker was at all times attentive to the preservation of order ; but he was not willing to go so far as to say, that under his auspices they might hope for a restoration of order, because he had some degree of respect for the memory of the Speaker's predecessors. As to his right honorable friend, whom the minister had, with a degree of illiberality, singled out as an individual instance of a member prone to go *ab re ad personam*, it was scarcely necessary to mention an acknowledged fact, and affirm that there was no person more free from personality in general.

The motion was negatived without a division.

APRIL 23.

DUTIES ON POST-HORSES.

Mr. Rose brought in a bill for rendering perpetual the act for empowering the Commissioners of the Treasury to farm the duties payable on post-horses, which was read a first time.

Mr. SHERIDAN expressed his astonishment at seeing a bill, fraught with such danger, and introducing so new a principle, in the collection of the revenue of this country, brought in without the smallest previous notice. If such a bill were suffered to pass in silence, it might be considered as a very favorable precedent for extending the principle to other branches of the revenue; and, for that reason, he wished to call the attention of the house to the measure. What advantages the revenue might have derived from the new mode of collecting the post-horse tax, he was at a loss to guess; because those whose duty it was to bring such matters forward, at a proper time, had neglected to produce any account of its increase.

Mr. Pitt answered, that the alteration of the mode of collection had undoubtedly been of considerable advantage to the revenue, and therefore, he wished to render the act permanent. He did not mean to hurry it through the house; and if the honorable gentleman had any intention of opposing the principle, he would have an opportunity of doing so on the second reading. He had no objection to producing the account.

Mr. Sheridan expressed his satisfaction that the right honorable gentleman had so far acquiesced as to think an account necessary, though he could not help saying it would have come with more propriety before the bill was brought in. Mr. Sheridan then moved that the bill be printed, which was ordered, and the second reading was fixed for the ensuing Tuesday.

FEES AND PERQUISITES TO THE DISTILLING OFFICE.

Mr. Whitbread having moved that an humble address be presented to His Majesty, that he would be graciously pleased to order the report of the commissioners, who had been appointed to examine into the fees and perquisites paid at the various public offices, to be laid before the house, so far as the same related to the Victualling Office, a conversation of some length took place.

Mr. Pitt opposed the motion, on the ground that no good reason had been given for the production of a partial report—and Mr. Rose, because it might tend to criminate certain gentlemen, who had taken an oath with regard to emolument of office.

Mr. Sheridan said if he had ever entertained a doubt of the propriety of having the report before the house, he was now convinced of the necessity of it. If any abuses existed, he thought it fully as expedient, that those who committed them should be responsible to the house of commons, as well as to His Majesty's ministers.

At length Mr. Hussey moved an amendment, which was agreed to—that the whole of the report of the commissioners, so far as they had proceeded, should be laid before the house.

EXCISE DUTIES ON TOBACCO.

The order of the day being moved for the second reading of the bill for explaining and amending the tobacco excise bill, passed in the last session of parliament.

Mr. Sheridan observed, though he had been obliged to abandon his arguments against the principle of the bill, from the decision of the house; the manufacturers of tobacco were so fully convinced of the injustice of the principle, that he had in his hand a petition from them, praying that the survey of the excise might not be applied to the manufacturer of tobacco.

The petition was brought up, and ordered to be referred to the committee of the whole house on the ensuing Tuesday.

SLAVE TRADE.

Mr. Wilberforce moved, that Captain Wilson do attend the committee on the slave trade, as an evidence.

Mr. Sheridan said, he should vote for the question of the right honorable gentleman (Mr. Wilberforce) though he was decidedly of opinion that it was the duty of that house to determine on the general question in the course of this session. It would be to the last degree impolitic, to leave it to the consideration of a new set of men, who might be ignorant of the information collected by the present parliament on this subject. He was convinced, however, sufficient evidence would be adduced in

time to satisfy every member with regard to his vote on the general question of abolition. For his part, he required no evidence—no further information to convince him, that the power possessed by the West India merchant over the slave, was such a power as no man ought to have over another. He conceived that the evidence now wanted was not connected with the establishment of regulations in the trade ; nor, indeed, necessarily with the general question, which it was undoubtedly proper to decide upon previously to the expiration of the present session.

The motion was carried without a division.

APRIL 27.

POST HORSE DUTY FARMING BILL.

The order of the day being read, for the second reading of this bill,

Mr. SHERIDAN having signified his intention of moving for some papers extremely necessary, in his conception, to be submitted to the house previously to the second reading of the bill ; he relied, therefore, on the right honorable gentleman's (Mr. Pitt) candor, that he would have no objection to postpone the second reading for a few days, which could be attended with no sort of inconvenience ; and by that time, in all probability, the papers could be got ready and presented. Mr. Sheridan moved for

“ An account of the gross produce of the post horse duties for the year 1787, ending the first of August ;” also for

“ An account of the number of districts under the farmers' act ; the names of the farmers, and the amount of the rents respectively, with any variations thereon, that have taken place from the first letting to the present time ;” also

“ An account of such of the farmers of the post

horse duties as have become defaulters, and to what amount;" and also

"An account of the expense of collecting the post horse duty, previous to the passing the act of the 27th of his present Majesty, and the amount of the saving to the public, in the article of collection, in consequence of passing the said act."

Mr. Pitt answered, that he could readily consent to the production of the papers moved for; but as the use intended to be made of them, might as well be employed in any other stage of the progress of the bill, as on the second reading, he saw no reason for delaying it.

Mr. Sheridan replied, that to press the matter with so much precipitation, betrayed a want of candor; and he contended that the house ought not to have proceeded a single step with the bill, until the right honorable gentleman had given the necessary information as to the produce of the tax, whilst under the old mode of collection, compared with that under the farming bill, which was originally introduced or revived, by a bill of experiment; and the principle of which should not be adopted as a permanent mode of collecting duties, without very full information, and mature discussion. It behoved the house not to proceed towards deciding on the principle of the bill, until the papers were before them; from which he (Mr. Sheridan) meant to prove that the principle was false; and the expectation of greater advantage being capable of being derived from it, than from the old mode of collection, utterly fallacious.

Mr. Pitt rejoined, that if the honorable gentleman had thought the papers necessary to be before the house prior to any proceeding with the bill, he ought to have moved for those papers, antecedent to the first reading, and not to have delayed moving for them till that day. For his own part, he had not the smallest objection to the production of the papers now moved for; although he saw not how they could possibly throw any additional light on the subject. By the papers giving an account of the net produce already before the house, there was an evident increase; for whatever the gross revenue might appear from the papers moved for, the net produce, it was

*plain from the papers before the house, had increased from 97,000*l.* in 1786, to 102,000*l.* the first year that the duty was farmed, and in the second to 127,000*l.**

Mr. Sheridan observed, that lawyers too frequently discovered a tenacity in overturning the rules and orders of that house, which the honorable and learned gentleman's argument evinced ; as upon a moment's reflection, the honorable and learned gentleman must perceive that the rule of proceeding in opposing bills, was directly the reverse of that which he had laid down. It was a curious way of using dispatch, to postpone the business to a late period of the session, and to endeavor to make up for the loss of time, in the first instance, by hurrying the most important bill through with indecent celerity. To prove his assertion, that the farming duty bill had not been so productive as had been stated by the right honorable gentleman, he had it from good authority, that the whole of Scotland had been farmed out as one district, without the advance of a single shilling, on the produce of the duty, under the old mode of collection ; and this circumstance was still further strengthened, as an argument against the new plan of farming out the collection of the revenue, by the speculation which might have been expected to take place in this year beyond all others, in consequence of the extra use of post horses, which a general election would necessarily occasion.

The question was put, and the original motion carried. The bill was, therefore, read a second time, and committed for the ensuing Friday.

APRIL 29.

LOTTERY BILL.

Mr. Rose brought up the new lottery bill, and as soon as he had presented it, stated to the house, that the only new clause in the bill was a clause to subject the printers of newspapers to a penalty of fifty pounds for each offence, in case they advertised any illegal

shares. The bill having been read a first time, and ordered to be read a second,

Mr. SHERIDAN rose, and declared that in his opinion, it was a most extraordinary clause; nor could he possibly conjecture how it was to be carried into effect. He supposed, the clause provided proper counsel for the printers, to consult as to what was or what was not a legal share; or perhaps itself gave a definition of that important point; because, without either the one or the other, he saw not how printers could avoid incurring the penalty, although they might not mean to offend against the law, for they could have no more interest in advertising an illegal share, than a pamphlet, which upon perusal, turned out to be a libel, or any other matter in itself illegal;—and it was well known, that in such cases, the subjecting the printer to a penalty, was a principle equally novel and oppressive; and, therefore, a principle which materially concerned the liberty of the press. Mr. Sheridan proposed to have the clause printed.

Mr. Rose answered that the honorable gentleman might recollect that it never had been usual to print a single clause of any bill; and in the present case, it was wholly unnecessary, as the clause in question was but short, and contained on the one side of a single half sheet of paper—the honorable gentleman, therefore, might, at one reading, make himself master of its contents.

Mr. Sheridan moved to have the whole bill printed.

Mr. Pitt observed, that it was altogether unusual to print such bills as that in question, nor could he see the smallest occasion for it.

Mr. Sheridan contended, that the new clause might cramp and affect the press; but it could not be considered as a regulation to prevent gambling.

The motion was negatived without a division.

EXCISE DUTIES ON TOBACCO.

The order of the day for receiving the report of this bill being read,

Mr. Sheridan observed that the honorable gentleman opposite to him had expressed himself so strongly on the recommitment, that it was necessary he should take some notice of his argument ; but having lately experienced a considerable share of indulgence from the house, they might be assured he would not trespass long upon their patience. The honorable gentleman had spoken with pathos on the trial by jury; and yet, he concluded with saying, it was not his intention to vote for the opportunity on which he might move to introduce the very point he recommended. Whenever he heard of a trial by jury being applied to the excise of tobacco, or any other single article excised, he always suspected it was thrown out as a lure and a decoy to attract attention, and draw the eyes of the house away from the main consideration. Professions of regard for that old-fashioned trial, could only be proved in an old-fashioned manner—not by words, but by deeds. The honorable gentleman had said, a great deal about trial by jury, and, nevertheless, declared he would not vote for the re-commitment. He would leave it to the house and the country, to judge of the sincerity of the honorable gentleman's professions, who contradicted them by his conduct. For his part, he should never think any gentleman sincere, who did not oppose every extension of the excise laws, till the trial by jury was universally adopted in all cases of excise. If the honorable gentleman was sincere, he supposed that he would bring in a clause for a trial by jury at the third reading. Though not quite consistent with order, he must make some reply to an observation of the honorable gentleman, founded on what he said, in a former debate; but he conceived it could not be more irregular in him to reply to it, than it had

been in the honorable gentleman to introduce it. The honorable gentleman had talked of his argument respecting the permitting the board of customs to appoint their own officers——

The Speaker called to order, and told Mr. Sheridan, that he had already been out of order, in questioning the sincerity of the honorable members.

Mr. Sheridan said, with all due submission, when he talked of an honorable member's sincerity, as a public man holding a public argument, and did not advert to any part of his private character, he conceived he was strictly in order.

The Speaker answered, that to question in that manner, went to question the motives on which the gentleman acted ; and nothing could be more unparliamentary.

Mr. Sheridan now referred to a former bill, relative to trial by jury in all excise cases ; which the honorable gentleman, he observed, must know, as he had a principal hand in it. The bill contained many excellent provisions, which were never executed. After animadverting upon that bill, Mr. Sheridan pointedly ridiculed what Mr. Beaufoy had said relative to the distinction between the land officer, and the officer upon water, remarking that he supposed he was to consider the latter as a kind of amphibious animal—a sort of web-footed exciseman, who was the only corrupt officer ; whereas, in his opinion, the officer on land was full as liable to temptation as when he was afloat. Mr. Sheridan next directed his arguments against the Chancellor of the Exchequer ; and contended, that by his having admitted that this was the same question as that brought forward before, and declaring he agreed to the principles laid down by his right honorable friend, he, in fact, admitted, the tobacco act was neither explained nor amended by the present bill. He said it was evident that the bill afforded the manufacturers no sort of relief whatever. The bill, he said, permitted the manu-

facturers to have a liquid dye necessary to the manufacture, but it forbade them to have the ingredients to make it; which was just like letting a painter make a green colour, but forbidding him the use of red and yellow.

The bill of indulgence, as the right honorable gentleman had termed it, was a mere mockery; and the arguments respecting the house of Sales and Pollard, and the decreases and increases, were unfair and fallacious.

Mr. Beaufoy and Mr. Pitt followed.

Mr. Sheridan rose again to controvert Mr. Pitt's argument, and an altercation of some continuance took place, the gentleman on the other side of the house repeating the charge relative to what had been said about increases, connected with the names of Sales and Pollard in a former debate, and the gentleman on the other side as often denying it.

Mr. Pitt and Mr. Sheridan were both upon their legs several times each.

At length the Speaker put an end to the dispute, by calling Mr. Sheridan to order.

The house divided—ayes (for the commitment) 73; noes 141.

APRIL 30.

EXCISE DUTIES ON TOBACCO.

The order of the day being read, Sir Watkin Lewes moved to bring up a clause, affording an optional right of a trial by jury, or by the commissioners.

Mr. SHERIDAN remarked, that the right honorable and learned gentleman (the Attorney-General) had gone into an elaborate praise of trial by jury, in the very moment he was endeavouring to persuade the house to reject a clause calculated to extend the benefit of that mode of trial to a very numerous description of subjects! This was of a piece with the general conduct of those who supported every extension of the excise laws;—they admitted

them to be an exception to the constitution—they declared them an evil repugnant to principles of personal freedom, and they, nevertheless, voted for them. The right honorable and learned gentleman had stated four cases, in which the defendants had obtained verdicts against the crown; and one of them, he said, was a cause tried against a person who was a maker of smugglers. That men were made smugglers, and not born such, he was ready to admit;—but he must contend, that men were made smugglers by act of parliament, and in that manner only. The right honorable and learned gentleman, amidst the extraordinary praises he had been so lavish in bestowing on juries, had said, that in this case of the maker of smugglers, though he and all the court were much surprised at it, the jury had found for the defendant; but that, although he considered the judgment as capricious, he was glad of it, as it proved the independency of the jury. That was rather a singular mode of panegyrizing juries, because he could not conceive that a jury being independent of all regard to evidence, truth, and justice, was a sort of independence very much to their credit. The house, Mr. Sheridan trusted, would do him the justice to recollect, that when he lately had occasion to discuss the question of the excise laws at some length, he had declared that, with respect to applying the trial by jury to the single instance of excise on tobacco, if that idea was thrown out by way of lure or decoy, he should resist it; not thinking the trial by jury a desirable matter, unless a previous revisal of the excise laws was entered upon, with a view to a general reform of that system. This was his opinion upon the subject; but the clause which had been moved, having for its object the applying the trial by jury to the excise on tobacco, he certainly could not hesitate a moment as to his acceptance of the offer.

On the question being put, the house divided—ayes 22; noes 100.

POST-HORSE FARMING BILL.

Mr. Sheridan contended, that the produce of the duty, since it had been farmed out, was not greater than it might reasonably have been expected to have been, had the collection been continued in the hands of the commissioners of stamps. Mr. Sheridan went into a variety of calculations and arithmetical statements, for the purpose of shewing that eleven thousand pounds were the utmost that could be said to be the surplus of the produce of the duty for the year 1789, over the produce for the year 1788.

The bill was committed.

MAY 3.

AFFAIRS OF THE EAST INDIA COMPANY.

Mr. Boughton Rouse (according to order) reported from the committee of the whole house, to whom it was referred, to consider of the several accounts and papers which had been presented to the house in February and March last from the Directors of the East India Company, the resolutions which the committee had directed him to report to the lords; which he read in his place, and afterwards delivered in at the table. On the question, "that the resolutions be read a second time," Mr. Tierney rose, and moved, "that the report be re-committed;" declaring his reasons for doing so were founded upon a partial representation, comprehending only one part of the Company's affairs, and that, if agreed to by the house, they might mislead the public, and persuade individuals to embark their property on what would appear to be good security with a growing profit; whilst, in reality, it was only a delusive and ruinous speculation.

Mr. SHERIDAN expressed himself astonished at the declaration of the right honorable and learned gentleman (Mr. Dundas), that he did not hold himself accountable to the house for the whole state of the Company's affairs. The right honorable and learned gentleman, he conceived, had not in this declaration done himself justice, because he held in his hand a speech of the right honorable and

learned gentleman, which he could rely on, as it was too correct for a newspaper report, though those reports were frequently very accurate. In fact (Mr. Sheridan said), he considered the speech to have been furnished by the right honorable gentleman himself, and a few printed for the use of his friends. He had, however, the good fortune to procure a copy. He then read a paragraph from the printed speech in question, in which Mr. Dundas stated, "whenever any person came forward, as he then did, to move for leave to bring in a bill enabling the Company to encrease their capital by the loan of a million, he was bound to state their entire situation;" and yet (observed Mr. Sheridan), notwithstanding the excellent doctrine, contained in the paragraph I have read, the right honorable gentleman now says, "I shew you only part of the question, and this shall be the political state of the Company's concerns." Mr. Sheridan insisted, that the house had not a fair account, unless they had an account of the commercial as well as of the territorial affairs of the Company. Mr. Sheridan took notice of a part of Mr. Baring's speech, who had asked somewhat ironically, if Mr. Tierney's representations were just, whether the Company ought to approach Government and beg them either to suffer the Company to give up their charter, or to allow them a premium for carrying on a disadvantageous trade? That irony might sound well, and it might be true that the trade was a disadvantageous one; but, nevertheless, there were reasons which might make it worth the Company's while to carry on a losing trade. The honorable gentleman, he observed, had said, that the four millions which the Company had borrowed, were sunk in the China trade; and, therefore, he considered it as no debt; that being the case, Mr. Sheridan said, he wished to know whether the tea trade had been a profitable or a disadvantageous branch of commerce? and as they were to have a discussion on the subject of the

commutation act previously to the conclusion of the session, he should postpone until that period, his remarks upon the subject.

Mr. Sheridan rose again to entreat the house, and especially the right honorable gentleman opposite to him (Mr. Pitt), seriously to attend to the act of 1783, enabling the Treasury to assist the East India Company, by suffering them to raise money on exchequer bills for 300,000*l*. It appeared to him (Mr. Sheridan said) that the right honorable gentleman and the lords of the treasury had acted in direct violation of the law. He explained this by shewing, that the conditions of the bill expressly were, that the company were to repay the money before they appropriated any of their receipts to other purposes; whereas the right honorable gentleman had suffered the Company to pay off part of their debt claimed by government (but not acknowledged by the Company), and had let them evade the payment of the money raised under the act in question. Now, as that gave the right honorable gentleman and the lords of the treasury no discretionary powers respecting the debt, he could not but consider it as a collusion on the part of the right honorable gentleman, in order to swell the yearly amount of his budget. He desired, therefore, to ask by what authority the right honorable gentleman had continued to countenance such a collusion?

Mr. Pitt said, he was not prepared to answer that question, nor could from so sudden a declaration say, whether any subsequent act of parliament had given the Treasury any discretionary authority or not. He would allow that the question was important, and if the honorable gentleman thought it a matter fit for separate discussion, he would be ready to meet it whenever it should be brought forward, certainly conceiving that the present was, by no means, a proper time for it.

Mr. Sheridan observed, that one reason why he urged it then was, that the debt had been inserted, year after year, in the statement of the Company's accounts.

Mr. Pitt answered, that if there was any collusion on either side, it was rather extraordinary that the debt should have been publicly stated year after year.

Mr. Sheridan replied it was true, that the debt was stated, but always crossed out of the account, before the account had been presented to the house.

Mr. Baring declared, that he really did not recollect how the matter of the exchequer bills stood.

At length the question was put, "That the report be re-committed," when it was negatived. The resolutions were then read a second time, and agreed to.

MAY 10.

SIR BENJAMIN HAMMET'S MOTION RELATIVE TO THE SENTENCES OF BURNING WOMEN CONVICTED OF CERTAIN CRIMES.

Sir Benjamin Hammet stated, that it having been his official duty to attend on the melancholy occasion of seeing the dreadful sentence put in execution, he had then designed to bring in a bill to make some alteration; but he did not choose to venture the measure till he had consulted and received the approbation of some high authorities in the law, which was now the case. The judgment of burning alive, applied to women for certain crimes, was the savage remains of Norman policy, and disgraced our statutes, as the practice did the common law. He maintained, that the sheriff who did not execute this sentence of burning alive, was liable to a prosecution; but, he thanked Heaven, that there was not an Englishman to be found, whose humanity did not exalt itself above the severity of the sentence, and who did not choose to run the risk, rather than attend to the letter of the judgment. He repeated the sentences verbatim, which were given upon men and women for the same crime.

UPON MEN.

"To be drawn upon a hurdle to the place of execution, and there to be hanged by the neck till he is dead."

UPON WOMEN.

"To be drawn upon a hurdle to the place of execution, and there to be burned with fire till she be dead."

He desired the house to consider the influence of the husband upon his wife; and that, in many other crimes, the laws made no provision for it. At this moment, a woman lay in Newgate convicted for coining; but the learned Recorder had not made his report; and the Sheriff applied to him that morning, expressing his feelings upon the occasion, and rejoicing in the hopes that the bill might pass into

a law. He desired to remind the house, that it was proved, by experience, that the shocking punishment did not prevent the crime. Formerly, the men were sentenced to be quartered, in addition to their other punishment, and he supposed it arose from delicacy that the women were to be burnt; but now, the sentence of quartering was not the judgment, and all for which he contended was, that women should not receive a more dreadful punishment than the men, who might influence the women to the commission of the crime. He would use no more arguments. He trusted that the bill wanted not the force of oratory or eloquence to cause it to be received; for, he had no doubt, but the house would go with him in the cause of humanity. He would not, therefore, trouble the house longer, but begged to be permitted to move for leave to bring in a bill "for altering the sentence of burning women attainted and convicted of certain crimes, and substituting other punishments in lieu thereof."

Mr. SHERIDAN wished the motion to be worded more generally, and that the description of the bill might extend to all women convicted of high or petty treason; declaring, that if it should be necessary to narrow the object of the bill, there would be sufficient opportunities of doing so in the committee, and at different stages of the progress of the bill.

The motion passed without amendment.

SUPPLY.

Mr. Pitt rose to move a vote of credit for a million, to enable His Majesty to act as the exigency of affairs might require. With the large sums already voted, and the use of the money which His Majesty would then have at command, a vote of credit for a million would be sufficient. Mr. Pitt explained the nature of some claims, which the merchants and others, who had property in Georgia, so far back as 1783, fairly had upon government, in consequence of that province being ceded by the treaty of peace; and he concluded with moving,

"That it is the opinion of this committee, that a sum not exceeding one million be granted to His Majesty, to enable His Majesty to take such measures, and to make such augmentation to his forces by sea and land, as the exigencies of affairs may require."

"That the sum of £49,556 17s. 6d. be granted to His Majesty for the relief of merchants, and other persons, interested in lands within the late province of Georgia."

The motion having been read a first and second time, on the question, "That the Chairman do report the same to the house,"

Mr. Sheridan remarked, the right honorable gentleman (the Chancellor of the Exchequer), when he

stated his observations on His Majesty's message to the house, had expressed a hope, that we should still be able to accommodate the matters in question between the courts of Madrid and Great Britain, without being driven to the necessity of going to war; a hope in which they must all most cordially concur. But although it was right to follow up their address to His Majesty of last week with a vote of supply, and not leave the address as a mere matter of profession, Mr. Sheridan said, he wished to know if, on the event of war being commenced, the right honorable gentleman would find it necessary to have a committee of supply again?

The two resolutions passed.

LOAN TO THE EAST-INDIA COMPANY.

Mr. SHERIDAN adverting to the loan of Exchequer bills for 300,000*l.* to the East-India Company, remarked that possibly, the right honorable gentleman might have been otherwise employed for the last two or three days, than to have had an opportunity of attending to the subject; if not, he should be glad to know how the right honorable gentleman found the matter upon enquiry.

Mr. Pitt answered, that he really had not had an opportunity of attending to the circumstance; but if the right honorable gentleman conceived that there was any thing in it, on which he ought to make a motion, the most regular way would be to submit one on the subject.

Mr. Sheridan said, that he would submit one on the subject on the ensuing Friday.

MAY 11.

POST HORSE DUTY BILL.

The order for the third reading of this bill being read,

Mr. SHERIDAN again moved his clause to oblige the farmers of the duty to declare upon oath, the an-

nual produce of their respective districts. Without some clause to this effect, the public, he contended, could not reap the full advantage of the bill, because the produce of the several districts being known only to those who farmed them, no advance could be expected on the price at which they were first let. The farmers were to be considered in the light of public accountants, and might fairly be called on to give an account of money collected from the public.

Mr. I. H. Browne contended, that it was impossible to call upon men to declare on oath what they had a strong temptation to conceal, more especially under circumstances which rendered it extremely difficult to discover whether they had declared the truth or not, so as to found an indictment for perjury. He could not consider the farmers in the light of public accountants, nor agree to an inquisition into private property. And, finally, would not bid high for that of which they were obliged to give an account upon oath.

Mr. Sheridan said, the bill empowered the farmers to call upon all persons engaged in letting post-horses, to answer, on oath, who had a very great temptation in the way of interest, to swear falsely. If the honorable gentleman's objection went merely to a wanton use of oaths, he ought to object to the bill entirely. The farmers must, necessarily, be considered as public accountants. The oath proposed, was, at least, a safer oath than any other authorized by the bill; and without it, or something equivalent to it, the public would not reap the full benefit of the bill.

The question was put, and the clause rejected without a division.

TRADE TO NOOTKA SOUND.

Mr. Sheridan said, that he had a motion to make, which he knew not whether he had worded properly; but the purport of it was, to obtain information whether the trade to Nootka Sound, and the settlement forming, or intended to be formed there, was undertaken under the sanction and authority of

government, or merely as an enterprize of private persons.

Mr. Pitt wished the motion to be postponed, till the information promised in His Majesty's answer to the address could be laid before the house. Licences to trade to Nootka Sound had been granted; and he knew of no authority for that, or any other purpose, but such as those licences contained.

Mr. Sheridan remarked, that what the house had now heard, that the settlement was a private enterprize, was very material.

Mr. Pitt contended, that whether the settlement was or was not a private enterprize, there could be no doubt that it was incumbent on the honour of the country to demand satisfaction for any insult or injury offered to its subjects, whether in their private capacity of traders, or acting under the more immediate sanction of government.

Mr. Sheridan declared, that if the right honorable gentleman meant to insinuate, that he did not think the country bound in honor to protect every subject from insult or injury, he had put a construction on the words which they would not bear.

The motion was postponed.

MR. HASTINGS'S TRIAL.

Mr. Burke called the attention of the house to a motion he had to offer upon the subject of the protracted continuance of the trial. After some observations upon the petition presented by Mr. Hastings to the house of lords, he adverted to what he conceived to be the principal causes of its not having been brought to a speedier conclusion; the first was, the determination of the house of lords, obtained at the instance of Mr. Hastings, to proceed upon all the articles of charge before they came to any discussion; another was, that the counsel for Mr. Hastings, had insisted upon reading papers at large, instead of extracts; but what occasioned, perhaps, the greatest delay, was, that the managers were not made acquainted with the grounds and extent of the principles on which the decisions of the house of lords were made respecting the admissibility of evidence. This made it impossible for them to know how far the next questions, which they intended to put, might, or might not, militate against those principles. He concluded, by moving the following resolution. "That the house taking into consideration the interruptions occasioned by the occupations of the judges and the house of lords; as also, the impediments which have occurred, or may occur in the course of the

trial of the impeachment of Warren Hastings, Esq. ; doth, without meaning to abandon the truth or importance of the charges, authorise the managers of their said impeachment, to insist only upon such, and so many of the said charges as shall appear to them the most conducive to obtaining speedy and effectual justice against the said Warren Hastings."—Second, "*that the commons of Great Britain in parliament assembled, from a regard to their own honor, and from the duty which they owe to all the commons of Great Britain, in whose name, as well as in their own, they act in the public prosecutions by them carried on before the house of lords, are bound to persevere in their impeachment against Warren Hastings, late Governor-General of Bengal, until judgment may be obtained upon the most important articles in the same.*"

Mr. Pitt did not oppose the motion.

The Master of the Rolls, thought it would be more adviseable to make the motion general, and to follow that precisely which had been adopted in the case of Lord Macclesfield. He read a copy of that motion, and though he confessed it was not so ably worded as the right honorable gentleman's, yet he conceived it preferable, as there was no occasion to assign a reason ; the doing of which would be liable to comment.

Mr. Sheridan contended that the difference of the circumstances of the two impeachments made the distinction between the two motions sufficiently clear. In the impeachment of the Earl of Mansfield, the managers were armed with the authority in question, in the first instance ; it was therefore unnecessary to assign a reason. The honorable and learned gentleman should observe, that in the present impeachment, they had now passed almost three years without obtaining their object. On which special account, it was necessary to assign a reason for giving fresh authorities to the managers. Nor did his right honorable friend's motion appear to him in any part of it objectionable ; it conveyed no insinuation ; for surely it was no insinuation to state that the judges were obliged, in discharge of their official duty, to leave town, and do the business of their several circuits.

The house divided : ayes 48 ; noes 31.

MAY 14.

EXCHEQUER BILLS LENT TO THE EAST-INDIA
COMPANY.

Mr. SHERIDAN, adverting to the exchequer bills lent to the East-India Company, remarked that he should take up but a short time of the house in the discussion of a subject rather of a dry nature, but which nevertheless would afford some information, and was indeed very interesting to those who duly considered the importance of preserving the national credit. New events had lately made other matters give place, and those new events had produced new doctrines, which in the eyes of some might render his motion objectionable. He declared, however, that he was not one of those who, in the first moment of a probability of hostilities, thought the minister entitled to that unlimited confidence which they had lately heard so much of, as well as that an inquisitive house of commons was the worst enemy the country could have. Neither did he think that at such a moment every thing of a nature distinct from the important topic which rendered military preparations necessary, was to give way, and that they were to take it for granted, the minister had so much upon his hands that he ought not to be expected to listen to any other business whatsoever. There were matters certainly, which, though unconnected with the subject, that had so much engaged the public attention within the last ten days, were very essential objects of consideration, and well worthy the attention of that house. That which he intended to bring forward was one of them. It was impossible to mention the matter without recurring to what he had so often complained of to the mode of temporizing which the right honorable gentleman had adopted ever since 1786, instead of fairly stating to the public what the real situation of their finances was, that system of

concealment for the sake of making the public believe their affairs were better than they really were, and then having recourse to expedients from time to time, to enable the business of government to be carried on. That this appeared to be the system pursued (Mr. Sheridan said) was an opinion which he would still maintain, notwithstanding the use that might be made of it, and the clamour that might be raised against all who thought as he did, and who might be represented to the public as holding language dangerous and depreciating. It might be said, that when it ought to be the common interest of all to raise the spirits of the people, by representing their affairs in the best light, they were running them down to the disadvantage of the public, and the encouragement of our enemies. None of those imputations, Mr. Sheridan declared, would ever make him shrink from what he thought his duty. Be it peace, or be it war, he would continue to state things as they really were, not having a doubt upon his mind but that by so doing, by publishing to that house, to the people at large, and consequently to the whole world, our real situation, we should be best enabled to extricate ourselves out of any difficulty or embarrassment which might arise, and best secure the national safety. Concealment might serve a temporary purpose, but in the end the consequence must prove mischievous in the extreme. If parliament were not to look into the state of their affairs from time to time, they had better, instead of voting a million, rely at once on the minister for the business of parliament, let him make war, conduct it just as he thought fit, grant him whatever he asked for, and when it was ended, let him say he would settle the accounts when it suited him, and in the manner he liked best. Mr. Sheridan at length proceeded to the main object of his motion, and desired that the clause of the act of 1783, which contained the condition of the public's paying off the exchequer bills, if not paid by the

East-India Company by the 5th of April, 1786, might be read. This being read, he observed, that he had agreed entirely with the honorable baronet (Sir Grey Cooper) behind him, who had first drawn his attention to the subject, and whose observations were at all times well worthy attention, that in suffering those exchequer bills to remain unpaid to this day, government had acted directly contrary to law. He mentioned the two sums of 300,000*l.* and 200,000*l.* paid into the exchequer in the year 1789 and 1790, by the East-India Company, on account of demands made on them by government, but not acknowledged by themselves, and contended, that out of those sums the exchequer bills in question ought to have been paid off; for the act of parliament expressly stated, that if the East-India Company were to fail in their engagement, the public should take it upon themselves, and the exchequer bills should become a charge upon the sinking fund. He asked, had this been done? Certainly not; and therefore he asserted that the law broken by government as it had been by the East-India Company. The bank also, in continuing the loan, set a dangerous precedent, and if followed, it would lead ultimately to a national bankruptcy. There were three parties in this business, the East India Company, who was the borrower of the money; the public, who gave the security; and the Bank, who advanced it; but the right honorable gentleman was personally interested in it, because it was his duty to see that the act was complied with, and the money paid before the 5th of April, 1786. When, on opening his budget, the right honorable gentleman had stated, that he had taken the 300,000*l.* paid by the East-India Company for duties as part of the income of the year, he could not fairly say he had gained 300,000*l.* but that he had borrowed so much. All the confusion which had occurred in this business, and all the difficulties which the right honorable gentleman

had found it necessary for four years back to encounter, (Mr. Sheridan maintained) had been owing to what he had so often lamented to the right honorable gentleman's fatal and unfortunate error, in not having made his stand in 1786, and brought forward the affairs of the country as they really were, and taken the proper and effectual means of making the national income equal to the expenditure, either by an adequate reduction of the establishments, or by having recourse to some mode of encreasing our income. It was the more to be lamented that the right honorable gentleman had not done so in 1786, because, perhaps, in the annals of the country, no minister ever could have taken such a step under such peculiar advantages. The right honorable gentleman at that time had an opposition calling upon him to take such a step, and willing to support him in it, willing also, as far as an opposition could, to share in the responsibility of the measure; the right honorable gentleman had likewise the advantage of a confiding house of commons, and what was still a farther advantage, it was well known to every person that the right honorable gentleman had not had the smallest share in having occasioned the burthens under which the people then labored. Instead of having done what he had just described, the right honorable gentleman had kept back the true state of affairs, and ever since proceeded on a sytem of expedients. Mr. Sheridan declared, that in consequence of the situation of affairs, and from other considerations, he had charged his intended mode of proceeding, but he would read to the house five or six resolutions, from which the house would, at one view, collect all the facts that formed the features of the business. (He here read six resolutions, stating, that the East-India company had been enabled by parliament to borrow 300,000*l.* that the public lent exchequer bills for that by way of collateral security to the Bank of England; that the engagement was, that if the said

bills were not discharged on or before the 5th of April, 1786, the amount of the bills was to become a charge upon the Sinking Fund, and to be provided for out of the first aids of the year which should be voted after the 5th of April; that the bills were not discharged before that day, and that they yet remain undischarged. Those resolutions (Mr. Sheridan said) he had intended to move, but he would content himself with moving a single one, to which he conceived there could be no sort of objection, as it would strengthen the hands of the right honorable gentleman, and enable him to manage future loans with the Bank with greater ease. "He then moved, "that the East-India Company to pay off the exchequer bills for 300,000*l.* lent them in 1783, on or before the 5th day of January next."

Mr. Sheridan rose again and contended that the bank, by their conduct, had gone near to forfeit their charter. He read an abstract from the act of William and Mary, to prove that the bank had no right to suspend a demand on government, through a convention with the Treasury; and he remarked that the law of the land expressly forbade the bank from making any loan to government, without the knowledge and approbation of parliament. If by such an indirect way, the bank could assist government, and evade the act of King William, that act would become nugatory, and one of the first and leading principles in the bill of rights undermined and subverted. The East India Company never could pay the amount of the exchequer bills to the bank. By the statute the money was bound to be paid into the exchequer, and there to be reserved, till the bills were brought and cancelled as discharged.

Mr. Pitt appealed to the chair, and to the house, whether under the pretence of speaking in explanation, it was regular for the honorable gentleman to make a series of new assertions, totally foreign to the subject in discussion, and which must necessarily call assertions in contradiction from him, and unavoidably create another Debate.

Mr. Sheridan rose again, and after a few more words, was called to order by the chair. Mr. Sheridan then observed, that after what had passed, he was determined to move all the resolutions which he had read to the house.

The question was put, in consequence of the previous question having been moved, "That the question on this resolution be now put," when the house divided; ayes 39; noes 70. The previous question was also carried on the other resolutions, three excepted.

MAY 17.

SIX WEEKS LICENCE BILL.

Mr. Rose moved several resolutions. After they had been all carried,

Mr. SHERIDAN complained against the practice of receiving reports on the same day that the committees sat; and the system of procrastination which he charged ministers with pursuing, in respect to the public business this session, in like manner as it had been customary for them to do in every session, declaring that their system clearly was to put off every great and interesting concern till it was impossible to procure either the necessary attendance or attention to the subject. The mace had been on and off the table every quarter of an hour the whole day, as if they were at boys play, instead of being engaged in the dispatch of serious and important public business. He asked what their constituents would think of such conduct, and so shameful a mode of proceeding?

Mr. Rose declared that he never intended to move that the resolutions should be reported that day, it being directly contrary to the established practice of the house to receive a report of any resolutions relative to duties imposed on the subject, on the same day on which they were voted. With regard to the imputed system of procrastination, he utterly denied that any such system was pursued. The public business had, throughout the session, been brought forward as early, and with as much expedition as, in the nature of each case, was practicable. In respect to the mace having been frequently taken off

the table that day, and reports of Committees made immediately, he had only moved that one report of a committee of the day be received, and that was, on the subject of a bill, to which there was not, as he understood, the smallest objection—the bill for the relief of the coasting trade. As to the number of the bills introduced, he had, he believed, had the honor to introduce three, and no more; and those were, as their titles sufficiently shewed, bills which could not, in the nature of things, have been introduced sooner.

Mr. Sheridan contended, that the bill just alluded to was as important as, and perhaps the most important of, any one bill introduced that session. What he complained of was, that a bill of such magnitude had not been introduced when the house was more fully attended, and when gentlemen could pay it the consideration it deserved. He was glad, however, late as it was, that some notice was at length about to be taken of the numerous petitions on the table, complaining of a noble lord's (Hawkesbury) famous Manifest Bill; and that some redress was to be afforded to those who suffered under its oppressions, which he understood were great. The honorable gentleman had observed that he had only brought in three bills that day. He, perhaps, had forgotten that a noble lord, who had just left the house, went away after having performed his task, and laid his pile of bills upon the table; that the Chancellor of the Exchequer had also introduced several; and therefore, though it had been left to the honorable gentleman last of all to throw in his share, and add to the heap, the number collectively was great, and considering the period of the session, he must repeat it, an additional instance of the shameful system adopted by the present administration, of procrastinating the most important public business to the end of the session.

Mr. Rose denied not only that the noble lord (Hawkesbury) had any thing to do with the bill in question, though he had, deservedly, obtained great credit for his assistance in respect to another bill, but that the bill for the relief of the coasting trade was at all connected with the Manifest Bill. The latter referred to ships employed in foreign trade, and not coasting vessels.

The resolutions were agreed to, and the report ordered to be received upon the morrow.

MAY 26.

TONTINES.

Mr. Pitt moved—"That the act of the 29 Geo. 3d. cap. 41. (relative to tontines) be read. He next moved "That the house resolve itself into a committee on the said act." These motions were agreed to. Mr. Pitt observed that the tontine had originally been proposed as an experiment; and, at the time, it had appeared to him a reasonable expectation, that it would have proved of equal advantage to the public and the subscribers. It had, however, turned out that this had not been the case; and although the tontine originally bore a premium, it had since been at a considerable discount, and if persisted in according to the original terms, the individuals who had taken the whole of it must sustain a very considerable loss. The plan he had to propose would, he was aware, appear rather complicated at first sight, but when examined and considered, he trusted that the mode of carrying it into execution and effect would be found easy and simple. It was not necessary for him, in that stage of the business, to go into a minute detail of the calculations on which his plan would be found to be practicable; it would suffice for him generally to state the outline, which was to give those who held the shares of the tontine an option of exchanging it for long annuities, and to empower the commissioners of the treasury to nominate to the shares which might be vacant when the period of nomination to shares should expire, which would be in October next, and to hold the same for the public. By these means gentlemen would see that faith would be kept with the persons whose lives were already interested, the original subscribers would be rescued from the risque they at present ran, in consequence of a speculation, which, *prima facie*, had undoubtedly been a laudable one, and the public itself would be no sufferer. Mr. Pitt concluded with moving a resolution, the purport of which was, to authorise the holders of shares in the tontine to have their share exchanged for an equal portion of long annuity, on application for that purpose to the head cashier of the bank.

Mr. SHERIDAN observed, that he believed that he was justified in concluding that it had been evident to the house, on the right honorable gentleman's first stating of his design, to relieve the original subscribers to the tontine, that it was a matter of very great nicety. It was likewise evident, from what he had just said, that the right honorable gentleman had changed his plan, and abandoned the ground he had first taken; but he could not but think that the right honorable gentleman had overstated the risque which the original subscribers had

encountered; it was true, that the tontine had been for some time at a discount, but it ought to be recollected, that when it first came into the market, it bore a premium; taking, therefore, both these matters into consideration, the subscribers might not have sustained so much loss as the right honorable gentleman seemed to wish to impress the committee with an idea of. In fact, the more they thought upon the business, the more the difficulty of doing equal justice would be found to be, and he feared that it must ultimately be acknowledged to be insurmountable. The right honorable gentleman had made three propositions; first, that relief should be given to the original subscribers; next, that the public should be no losers by affording that relief; and lastly, that the present holders of shares should have the same advantages secured to them, as they had a right to look for when they nominated to the said shares. It was, he admitted, clearly made out, that the first object would be answered by the right honorable gentleman's plan—that the original subscribers would be relieved, and also that the public would not be losers; but it did not, Mr. Sheridan said, appear to him that the present holders of shares would have the public faith kept with them, or that they would remain in as advantageous a situation as they had a right to expect, considering the conditions of the tontine at the time when they subscribed for shares. Mr. Sheridan explained the grounds of his opinion, by stating, that if the commissioners of the Treasury were to nominate to such shares of the tontine as should be vacant in October, they naturally would not name bad lives, but the very best which they could select; and in that case the holders of shares, who might chuse to keep their shares, would not stand the same advantageous chance as they would, in all probability, have stood, had lives been promiscuously nominated, according to the original plan, when some purchasers of shares would have nominated them-

selves, others their children, others their connections and friends, as their own views of their individual interests, their whim, their vanity, their self-love, or any other prevalent motive of their minds might have dictated, and regulated them in their choice.

Mr. Pitt expressed his belief, that if the honorable gentleman had examined his own objection, he could not but be of opinion that he would find that it did not apply.

Mr. Sheridan answered, that he had stated a difficulty, not an objection; and the more it was examined, the more insurmountable he was convinced it would be found. He then re-urged his argument; and after asserting, that unless each individual holder of a share of the tontine would come and signify his consent to the proposed plan, he should consider the holders of shares in general to be injured, declared that he would reserve any further discussion of the subject till the bill should be before the house.

The question was put, and the resolution agreed to.

MAY 28.

TONTINE BILL.

The order of the day for the second reading of this bill having been moved to be discharged,

Mr. SHERIDAN expressed his hopes that he might, fortunately, make some impression upon the right honorable gentleman (Mr. Pitt), when he declared, that the more he considered the nature of the bill, the more he was convinced that the precedent would prove dangerous, and not to be reconciled to the great object of securing the original holders of shares in the tontine, who meant to adhere to their shares. If gentlemen would turn their attention to it, he was convinced they would see that it ought to be rejected, and therefore, he trusted that the right honorable gentleman would not at-

tempt to move that the bill be committed before the ensuing Tuesday or Wednesday.

Mr. Pitt imagined that the honorable gentleman had not been present in the house, the preceding day, or he would have heard him state, that, as he conceived whatever objections there might be against the bill, they would go rather to the regulations it contained, and the application of the principle of the bill, than to the principle itself; he meant to move that it be committed the approaching Tuesday.

JUNE 2.

TONTINE BILL.

The report of the committee on this bill having been brought up, the amendments were read a first and second time, and several new ones proposed.

Mr. SHERIDAN persisted in his idea, that if the situation of the original contributors to the tontine, and holders of shares were changed at all, no matter whether from good or worse, it was an insurmountable objection; and that, before the house adopted the principle of the bill, they ought to be assured that each individual, interested as he had described, gave his assent to the conditions which the bill tended to authorize and enforce. Mr. Sheridan proposed that the names of the subscribers who should, at the period of nomination, be found desirous of adhering to their shares, should be taken to fill up the vacancies in the several classes.

Mr. Pitt contended that the honorable gentleman's proposition would, on the very grounds on which they had been so long arguing, be liable to the greatest objection of any, as, in that case, the original contributors to the tontine, and the holders of shares, must be deprived of the chance of running against the lives of others promiscuously nominated, and be forced to run against themselves.

At length, the several new clauses and amendments were agreed to, and the bill, with the amendments, ordered to be engrossed, and read a third time.

DECEMBER 15.

WAYS AND MEANS.

Mr. SHERIDAN observed that, on the present occasion, he felt himself unusually happy to give the right honorable gentleman (Mr. Pitt) his sincere praise for the general outline of his plan, for the speedy extinction of the three millions necessary to be raised to pay off the expense of the late armament. He assured the right honorable gentleman that he had done no more than justice to that side of the house, in thinking that they would give their support to such a necessary measure. Whatever difference of opinion there might be on particular topics, whether some of them might think on the subject of that armament, either that it was not necessary, and that there had been no reason to have talked to Spain in so haughty and menacing a tone; whether other gentlemen might deem the armament necessary, but the satisfaction obtained inadequate, or whether others again might consider the conduct of the right honorable gentleman as spirited and proper, and that the convention was an excellent one, and likely to prove a source of endless advantage; let the contrarieties of opinion be what they might, the right honorable gentleman, he was persuaded, would find but one sentiment in the house on the subject of his proposed plan. And as those who sat near him had often stated, that nothing was so necessary as to meet the exigency of the moment in a firm, manly way, to look our difficulties at all times in the face, to bring them forward without disguise, and call upon the house to provide for them to their full extent; now, as the advice was taken, they would cheerfully assist in sharing the disagreeable task of imposing fresh burthens on the people, convinced as they were that however the mode of incurring the expense might be wrong, the expense, once incurred, must be paid.

He could have wished, however, that the right honorable gentleman had not stated part of his taxes as temporary taxes. He really feared the right honorable gentleman had not sufficiently considered the state of the revenue, or, he conceived, he never could have persuaded himself that after the taxes were once imposed they could be taken off. For his own part, he was anxious for an examination every year into the state of the public receipt and expenditure. He had taken the paper up, and saw that the present income of the country was fifteen million eight hundred thousand pounds, including malt, land tax, &c., and the last year's expenditure made up to Midsummer last, amounted to seventeen millions; he lamented that one great object of resource was entirely overlooked; an economical attention to our expenditure, and a reduction of our establishments; instead of this, with alliances, and under circumstances the most favorable to reduction, with a neighbouring nation, who, by a change in their government, enjoyed the blessings of freedom, more inclined to be our friends than our enemies, and at a time of apparently perfect security, we were, year after year, encreasing our establishments. As to the taxes proposed, the right honorable gentleman's situation was at present so difficult, that it was almost unjustifiable to oppose any taxes; but he really wished that before the right honorable gentleman thought of taking the 500,000*l.* from the bank, he would consult the Bank Directors on that subject, because he feared the meddling with any money issued to pay the public creditor, would affect the public credit. With regard to the comparison made by the honorable gentleman who spoke last, between the public and the bank, and a private individual and his banker, the honorable gentleman was totally mistaken; a private individual might certainly take his money from his banker's, and the reason why he might do so was, because the money was his own; but the money in the bank was, in

fact, the property of the public creditor, and no other had a right to meddle with it. Another article which Mr. Sheridan thought objectionable as a farther taxation, was malt.

DECEMBER 16.

WAYS AND MEANS.

The Speaker put the question, "That the report of the committee be now brought up," a debate ensued. Mr. Pitt said, he did not understand that there was any intention to object to the report being brought up, and the resolutions read a second time; he hoped, therefore, no gentleman would then divide the house. He subsequently declared, in answer to Mr. Fox, that he had not objected to going into the discussion, and taking the sense of the house. He was willing so to do, indeed, if any gentleman chose to combat any one of the resolutions, he had it not in his power to prevent it.

Mr. SHERIDAN remarked, that it was very kind in the right honorable gentleman to suffer them to do their duty; but, if the right honorable gentleman considered the matter rightly, he would see that proceeding then in the very first instance to oppose the intended tax on malt was acting handsomely by him; because if it should appear that many gentlemen were against it, the sooner it was known the more time the right honorable gentleman would have to look for and provide a substitute for the tax on malt. Mr. Sheridan added, that there was always something alarming and suspicious in the rapidity with which the right honorable gentleman endeavored to hurry his tax bills through the house, year after year; he ever would oppose that rapidity, and in the present case, he would certainly meet it with his negative. The argument respecting the tax lay in a nut-shell. It was plain, as the public brewery (those who brewed for sale) were not to be affected, the whole weight and operation of the intended tax would fall upon the private brewery, and thereby very deeply attack and distress the poorer order of the people. So much would this be felt, that every

county in the kingdom, he was persuaded, were time allowed, would petition the house, and instruct their representatives to oppose it. An honorable gentleman who spoke early (Mr. Duncombe), by the latter part of his speech, seemed to think that the lovers of beer all lived in Yorkshire. The honorable gentleman was mistaken; many of them, Mr. Sheridan said, were to be found at Stafford, and he believed they were distributed with tolerable equality throughout the country. He should, therefore, think it his duty to oppose the resolution.

The report was brought up, and the resolutions were read a first time, and agreed to; they were then read a second time, and a question put upon each severally. When Mr. Hatsell came to the resolution, stating the new malt tax,

Mr. Powys objected to it, and desired to know whether Mr. Pitt meant to propose his bill to continue longer in force than one year?

Mr. Pitt answered most certainly. He agreed that it would be desirable that the additional tax on malt should cease, as soon as its expected produce could be spared; and, therefore, he meant that it should cease as soon as £80,000 of exchequer bills should be paid off, which he computed would take place in about two years.

Mr. Sheridan remarked, that however trivial the intended addition might prove, it must always be granted that a number of trifling augmentations aggregately swelled to a gross encrease and an intolerable oppression. They had gone so far already, that another small matter of addition would turn the scale; and, therefore, the attempt to make any addition ought to be resisted. With regard to the duration of the act, he repeated his assertion of the preceding day, that the right honorable gentleman deceived himself in imagining the taxes would be temporary only;—once passed, they must be permanent. The right honorable gentleman would find he could not do without them. The subject, of course, ought to be treated with great gravity, and most deliberate attention. If the new taxes actually turned out more productive than was expected, they could tell, from experience, what would be the con-

duct of the right honorable gentleman ; what he had done already, there was reason to expect he might do again ; make a most dangerous use of the surplus, and be guilty of the most blameable appropriation of it, by expending the money in effecting the purposes of a dissolution of parliament, or by encreasing our peace establishments. Instead, therefore, of the bills being precipitated with the shameful rapidity which had characterised all the right honorable gentleman's measures of importance, that house ought to examine the state of our finances, and compare our actual receipt with our actual expenditure ; they would then find that the latter greatly exceeded the former ; and they would see, likewise, that the malt tax had fallen short considerably for the last year, which was the strongest proof of the impolicy of loading the article with an additional duty. Mr. Sheridan then read a paper from the table, exemplifying his statement ; according to which, taking the malt and land tax at 2,500,000*l.*, he made the expenditure exceed the income above a million ; and he asserted that Mr. Pitt had taken advantage of all the new taxes, to the amount of more than half a million, since the year 1786.

Mr. Steele asserted, that Mr. Sheridan's history of taxes, imposed since 1786, was erroneous from beginning to end.

Mr. Sheridan declared, that he could not sit silent under the charge of having attempted to deceive the house ; and, therefore, he referred to the report of 1786 itself, and cited the articles of public income from that document, challenging a contradiction ; and saying, he should be sorry to have Mr. Steele pay the proffered penalty of his pledge (never opening his lips again), though he certainly would find that he must do it, if the house should insist on it, when the day of trial should arrive. Mr. Sheridan added, that nearly 400,000*l.* had been raised by taxes, since the report of 1786 was made.

The house divided ; ayes 116 ; noes 45.

DECEMBER 21.

ADDITIONAL DUTY ON MALT BILL.

The order of the day having been read for the second reading of the bill for laying an additional duty on malt;—it was moved "that the bill be now read a second time."

Mr. SHERIDAN declared that, in his opinion, the right honorable gentleman (Mr. Pitt) had not offered one argument of sufficient weight to refute the many strong objections which had been so forcibly urged by different gentleman that day. An honorable gentleman, (Mr. Drake) had spoken very feelingly, and painted scenes which had convinced him, that the poorest people in the kingdom, were those who stood most in need of friends in that house. Of the truth of that sentiment, Mr. Sheridan said, he had long been convinced, and he should be extremely happy to see the fact reversed. The honorable gentleman, however, had recommended it to the Chancellor of the Exchequer, to give up the additional tax on malt, lest, that among the poor orders of the people, the downfall of the minister should become a prevalent toast. As the people in the county, the chief town of which he had the honor to represent, would be very materially affected by the tax; Mr. Sheridan said, he had little doubt, if the right hon. gentleman persisted in obstinately adhering to it, that toast was most likely to be adopted and recorded on the pottery of Mr. Wedgwood. The honorable gentleman, he observed, had said, the tax was to be but temporary;—but malt was the very worst article that could have been chosen for a temporary tax, since the malt duty had, within the last two or three years, fallen considerably short of its produce. Formerly it raised 750,000*l.* whereas by the different oppressions imposed of late years, through the medium of additional duties, the sum produced, had, by degrees, sunk, year after year. As to the connection be-

tween the taxes and the subject of the convention, the right honorable gentleman must permit him to say, that when they were laying fresh burdens on the people, they, on that side of the house, who had all along argued against the cause and the consequences of the message to parliament, last session;—who had contended that what had happened, did not call for so high toned a language as had been used—that the subject of the quarrel did not justify the expenses and preparations which had been gone into and got in readiness; and that the convention was the worst convention ever made; they could not be expected to admit the taxes proposed were to be received implicitly, and all objection smothered on account of that measure, which having taken place, rendered new taxes indispensably necessary. With regard to a tax on dogs, proposed by an honorable gentleman behind him, (Mr. Coke) although what had fallen from that gentleman did credit to his disinterestedness, Mr. Sheridan said, he was persuaded such a tax was not practicable; but there were, he had no doubt, other taxes to be found, which would prove less liable to objection, and, at the same time, would raise the deficiency which giving up the malt tax would occasion. For that, and the various objections which had been stated by different gentlemen, he really wished the right hon. gentleman would consent to forego the addition to the malt tax; and as he was thoroughly persuaded, that when it was properly considered, it would be seen in the light in which he had placed it, as a tax likely to be attended with many bad consequences, he had designed to submit a motion, “That the bill be read that day six months;” but he would only move to amend the motion, by leaving out the word “now,” and inserting the words “Monday, the 7th of February.”

The house divided—the numbers were, that the word “now,” stand part of the question; ayes 126; noes 91; the bill was then read a second time.

MARCH 22, 1791.

BILL RELATIVE TO UNRECEIVED DIVIDENDS.

Mr. SHERIDAN contended against the provision in the bill, which enabled the Treasury, in case the sum left in the bank of England, should be reduced below 100,000*l.* to issue exchequer bills, as a security to the public creditor. There were various strong arguments against this power.—Constitutionally it was a dangerous power; and as to the creditor, it was surely a bad commutation to substitute paper in the room of specie. By the original contract, the public creditors were to be paid in specie only. Specie is lodged in the hands of the bank for their payment; and that specie is to be taken out of their hands, and exchequer bills placed in their stead. Exchequer bills might or might not be good payment. If the original bargain declared, that even bank notes should not be considered as good payment, it was a violent measure to force upon them, that which the original bargain declared was not to be offered.

The committee went through the bill, and the report was ordered to be received upon the ensuing Thursday.

APRIL 1.

CORN REGULATION BILL.

Mr. SHERIDAN presented a petition from the trades house at Glasgow, praying to be heard by counsel against the clauses which respect Scotland. He wished to be informed, whether it was meant to alter the clauses complained of; because he understood such an intimation had been given to the petitioners by the promoters of the bill. If those claims were not altered, he should have to present a petition against them, signed by more than twenty thousand persons.

The petition was ordered to be referred to the committee on the bill, with an instruction that the petitioners be heard by counsel.

APRIL 11.

FINANCE COMMITTEE.

Mr. SHERIDAN objected to the mode of appointing the finance committee, as putting it in the power of ministers to procure many of his own friends to decide on the truth of his own statements.

Mr. Steele contended that the appointment of a committee by ballot was unobjectionable, even on the ground stated by the honorable gentleman; as every member was at liberty to give in a list of such names as he thought proper.

APRIL 12.

MR. GREY'S MOTIONS AGAINST ANY INTERFERENCE IN THE WAR BETWEEN RUSSIA AND THE PORTE.

On the 29th of March a message was delivered to parliament from the King, stating, that the endeavors which he had used in conjunction with his allies, to effect a pacification between Russia and the Porte, had been unsuccessful; and that the consequences which might arise from the further progress of the war, being highly important to the interest of His Majesty, and his allies, and to those of Europe in general; His Majesty judged it requisite, in order to add weight to his negociation, to make some further augmentation in his naval force; and he relied on the zeal and affection of parliament, for the defraying of such expenses as might be incurred by those additional preparations. The powers who had mediated in the convention of Reichenbach, had endeavored in vain, on the conclusion of that treaty, to incline the Empress of Russia to peace with the Porte, on the same terms of the statu quo, on which it had been determined that peace should be made between the Porte and Austria. The answer constantly returned by the Empress to the pressing solicitations of the allies on this head, was, that she would admit of no interference between her and the Turks; and should consult her own discretion in whatever related to that business, without submitting to the decision of any power whatever. Alarmed, however, at the strength of the allied powers, and above all, at the new external relations, as well as internal situation of Poland, she offered to give up all her conquests on the Turks, excepting the town and dependencies of Oczakow, the country of the Oczakow Tartars, situated between the Bog and the Neister; the possession of which would, on the one hand, be a barrier to the eruptions of the Tartars into the territories of Russia; and, on the other, open at some future period,

more conspicuous than the present, to schemes of aggrandizement into the provinces, and the very heart of the Turkish Empire. The King of Prussia, the immediate successor of Frederick the Great, had shewn a prudent and just jealousy of the ambitious designs of Catherine; and by the formation of a close alliance with Poland, and other measures, wisely endeavoured to prevent her views of aggrandizement to all, or nearly all those measures already carried into execution, and to which Great Britain had given her countenance. We had also in concert with Prussia and Holland, offered to mediate a peace in the East of Europe, soon after the fall of Oczakow, in 1788. We restrained Denmark from joining her arms to those of Russia for assisting the Swedes: and this with an avowed determination of supporting the balance of the North. In the summer following, in 1790, we made a new treaty with Prussia, a treaty of more than defensive alliance; of strict and perpetual union, in order to protect not only the interest of the two contracting powers, but the tranquillity and security of Europe. We had now a second time pressed our mediation on Russia, but pressed it in vain.

The Czarina not only persisted in her resolution to carry on the present war with the Turks, unless she should be permitted to dictate a peace on her own terms, but seemed to have denounced a war against another of our allies, Poland. So nearly as 1789 she had given notice, that she should consider the new arrangements of the republics as a violation of her treaty and guarantee of a former engagement; and they prepared a plea for hostilities against that unfortunate country at a more convenient opportunity. The seeds of mutual jealousy and alienation had been sown between Great Britain and Russia, from the period that the Czarina, in the time of our distress in the American war, took the lead in the armed neutrality, for the express purpose of resisting and reducing the naval power of this country. At the expiration of the commercial treaty between Russia and England, she not only declined to renew it, but obliged our merchants to pay, in duties, 25 per cent more than what was exacted from other countries, though they gave half a year's credit for their exports, and were always a whole year in advance for their imports; and at the same time that she declined to renew any commercial treaty with us, she made one with France, and another with Spain: in addition to which, she entered with those two kingdoms into a quadruple alliance, plainly pointed against Great Britain. In a word, the Empress of Russia, flushed with success and most strongly fortified by treaties of alliance, had assumed a menacing attitude and frowning aspect, which naturally produced a counter confederation, and excited throughout a great portion of Europe, a spirit of jealousy, vigilance, and hostile resistance. Such was the state of Europe, and such particularly that of this country in relation to Russia, at the moment when the message from His Majesty mentioned abroad was taken into consideration in the house of commons. The minister moved for an address on the occasion to His Majesty after the usual form. He supported the measure that was the object of the address, on the ground that we had a direct and important

interest in the war between Russia and the Porte. Having entered into defensive alliances, which were admitted to be wise and politic, we ought to adhere to them: Prussia was our ally, and ought to be supported. The progress of the Russian arms against the Porte was alarming. Should the power of the Porte be farther humbled by its aspiring rival, Prussia would instantly feel it, and not Prussia alone, but all Europe—the political system of which might be shaken to its very foundation. On the other side, it was stated, that Prussia could not be endangered by any progress which the Russian arms could make in Turkey. The Empress offered to cede all her conquests between the Neister and Danube; and proposed only to retain those which were situated between the Neister and the Don; but we insisted, that she should surrender all her conquests without a single exception. Our only ground of quarrel, therefore, with the Empress, was, her unwillingness to resign the tract of country above mentioned; which although in general barren and unprofitable, was yet particularly desirable to her, as it contained the town of Oczakow, a place of much importance to the security of the Russian dominions. The address was carried by a majority of only 93. *Ayes* 228; *noes* 135.

By so numerous a minority, Mr. Grey was encouraged to move, on the 12th of April, eight resolutions, declarative of certain general and undeniable positions, with regard to the interest of this country in the preservation of peace; the just causes, and unjust pretexts for war; facts that had appeared during the hostilities between Russia and the Porte, which did not seem immediately to involve the interests of Great Britain, or to threaten an attack on her possessions, or those of her allies; and concluding, “that the expense of an armament must be burthensome to the country, and is under the present circumstances, as far as the house is informed, inexpedient and unnecessary.

Mr. Sheridan remarked, that although he had several times presented himself in vain to the Speaker's eye, he never felt it more unnecessary to trespass on the time of the house, than at that moment; since, if ever there was a discussion, which had been supported by the ablest arguments on one side, and with flimsy delusion opposed to them on the other, the cause discussed that day had been that cause. Not even any argument had been offered by the honorable baronet (Sir William Young) who spoke last, and who had traversed over all Europe, traced the history of the navigation and commerce of Russia, from the earliest period; described her back frontiers, and all parts of her dominions; and expatiated with as much familiarity

concerning the Dnieper and the Danube, as if he had been talking of the Worcestershire canal, and pictured the empress as a female Colossus, standing with one foot on the banks of the Black Sea, and the other on the coast of the Baltic; yet, in spite of this fund of knowledge and ingenuity, all which the honorable baronet said, did not amount to an argument against the motion, which, in his mind, was entitled to the smallest weight. From the right honorable gentleman opposite to him, (Mr. Dundas) who was something like a minister, though not actually one, he expected to have heard important reasoning; but he presumed he had continued dumb, because if he had risen to speak, it might have been suspected that he knew something, and thus have broken in upon that impenetrable mystery, and that magnificent silence which was to characterise the day, as far as regarded the conduct of those who alone could have afforded the house information, which they had a right to expect. Those who had risen to speak, like the honorable baronet who had just sat down, had professed either that they knew nothing of the cause of the armament, or had indulged in stating what they guessed to be that cause; thus the sum and substance of all the arguments against the motion had been professed ignorance on the one hand, or avowed conjecture on the other. If, then, they were to guess only from conjecture, and to argue from maxims drawn from maps and books, as the last honorable gentleman on the other side had done, could they possibly arrive at any satisfactory knowledge on the subject? Are maxims drawn from maps and books the cause for which an English house of commons are to plunge their country into a war, and waste the blood and treasure of their constituents! The reasons stated by different gentlemen, among their guesses of the causes of the war, were not more different than extraordinary. One right honorable gentleman had assigned something that looked like an argument, which might

account for the right honorable Chancellor of the Exchequer's silence. He had stated, that if his right honorable friend said any thing relative to the negociation, it might put it out of the power of the negotiating parties to recede or retract what they had advanced, and thus render a war unavoidable. Did the right honorable gentleman then think it necessary to recede and retract any of the blustering menaces which he had made to Russia? If he did, it ought to be avowed, that an opportunity might be given for such retraction. But that right honorable gentleman, who had talked of the minister's receding, had also alluded to one matter as the cause of the war, from the bare mention of which he shrunk with horror; he had hinted at the armed neutrality, and at the possibility of this being a fit opportunity for retaliating and revenging that measure. Were we then to go to war for so base a purpose, as to give vent to the hatred and burning resentment which had been avowed to have rankled in our bosoms for so many years? He hoped not. The same right honorable gentleman had talked of the partition of Poland. Were they to resent that event at this crisis? If so, it ought to be avowed. But he would not believe that any of these could be the cause of the war. He would rather turn to the noble lord, who had, in his opinion, acted in a more open and manly way, and rested the argument on its true ground. The noble lord had expressly avowed that he gave his consent on the ground of implicit confidence in the minister; and had even gone so far as to declare, that he should consider it as criminal in the minister, if he gave the house any information whatever on the subject. The ground of confidence had shifted materially since its first introduction three years ago. They had then heard of rational confidence; since that a greater degree of confidence had been talked of; and now the noble lord had avowed that he gave the minister implicit confidence. Had they not

better at once appoint the right honorable gentleman dictator, and give him the power of making war and peace just as he thought proper? The noble lord, who had, on a former occasion, shewn himself very much attached to the ancient Greeks, had appeared not to be so much attached to the modern Greeks, and had said, "See what a faithless set of people these modern Greeks are!" In what, Mr. Sheridan asked, did their treachery consist?—He knew of no such treachery; and he owned that he should rather have expected that the noble lord, with a classical indignation, would have lamented that the descendants of Demosthenes should not be orators, statesmen, and soldiers, but an unfortunate race of men, kept only to pamper the false taste and degraded appetites of the Ottoman court. So much out of humour had the noble lord proved himself to be with the modern Greeks, that he had been betrayed into a perfidy of quotation, and had quoted a Latin line, to his surprise, Mr. Sheridan said, when he had expected a line of Homer from him at least. With regard to what had been observed of that house invading the prerogative of the crown, if they interfered with negotiations, he was, for one, always ready to confess, that the just prerogatives of the crown should be kept sacred; but those were no friends to the prerogative, who should advise the exercise of it in the extreme, and endanger its proving obnoxious to that house. The best government under the practice of our constitution consisted in a wise blending and co-operation of the executive and legislative branches of it. The king certainly might, if he pleased, make what treaties he thought proper, and keep them from the knowledge of parliament, if he was so advised by his ministers; he might also make war and peace, and in doing that, confidence was reposed in those on whose shoulders, as a counterpoise, responsibility lay. But the moment they came to that house for support and assistance, confidence

was at an end, and the hour of inquiry and control was arrived. Yet, what he wished to contend for was, that ancient, constitutional, and most useful function of a British house of commons, their capacity of advising the crown, and of being enabled, by a due application and exercise of their preventive wisdom to save the country from that expense and calamity into which they might otherwise be plunged, either by the terror of ministers, their imprudence, their neglect, or their corruption. If the house of commons was to be deprived of that important function, and was never suffered to exercise their preventive wisdom, their chief use, as a deliberative assembly, would be lost to the public, and the whole powers of that house would be reduced to two dry points—the power of the purse, and the power of impeachment. Thus, instead of consulting them as advisers of the crown, they would be reduced to the miserable condition of acting upon public measures in the last fatal instance, that of loading their constituents with the expense of them, when it might afterwards turn out that they were measures not fit to have been pursued; and in that case, all that would be left for them to do, would be to prosecute ministers. If the purpose of a message from the crown should be at any time to tell them that the enemy was at their doors, and therefore supplies must be granted, he certainly should first ask, on whose account they were called upon, and how it happened that they had not before been apprized of the public danger? But he should grant the supplies on account of the necessity and exigency of the case. The honorable gentleman opposite to him had wondered that they should speak of the proceedings in that manner as a novelty, and remarked, that they were totally ignorant of parliamentary constitution, if they did not know that it had been the practise of ministers, in similar cases, to ask for support, and give no explanation at the time. Ignorant, indeed, he confessed they must be, if the case was so; yet

he could not but imagine that the honorable gentlemen who were so ready to give their confidence blindly and implicitly, were themselves so confident, that they ventured to quote precedents, without ever having given themselves the trouble to look and see whether they would support their argument. It so happened, that all the precedents from the year 1700 downwards, were against them, and in favor of what he had just contended for. In the case of the war of 1700, there had been a desire of preserving the balance of power in Europe, and King William had applied to the house on the occasion. Mr. Sheridan read from the journals a message from King William, and the address of the house in answer. In the one, the King states the purpose of his application, and calls for the advice of his commons; and in the other, the house tells His Majesty that they will give him their advice, as soon as they are fully informed on the subject; and desire that all the treaties entered into by His Majesty may be laid before them, that they may be able to offer him their mature advice. It appeared from hence, that King William, in the instance which he had read, did not think it beneath him to ask advice of the house of commons, and they had heard what the language of the house had been in return. As the honorable gentlemen on the other side might not like a precedent so near the revolution, he would turn to another of a more recent period, that of 1734. So far from the ministers of that day calling for the confidence of parliament, the King placed a confidence in his parliament, and put the whole business into their hands. Mr. Sheridan declared, that he could not but wonder that the house bore with patience the cant of responsibility, which was preached to them by all who contended for confidence. They were perpetually saying, give ministers implicit confidence; have not they the responsibility? as if they considered responsibility as a perquisite of office, rather

than the peril of their situation. If they felt the case properly, they would shrink from the bare mention of responsibility, instead of being eternally talking of it, and which convinced him that they considered responsibility as a protection, and as another word for indemnity. The other evening, when the unclaimed dividends were under discussion, a declaration had been made by one of the Bank Directors, which appeared to him at the time to be most extraordinary. In submitting that much might be lost to the bank by forgeries, one of the directors had observed, that their custom was to let the persons presenting forged bills for payment have the money, and not prevent the commission of the crime; because unless the felony was suffered to be completed, they could not prosecute, and make an example. Mr. Sheridan reasoned on the absurdity of this practice, and compared it with that of letting a minister, by unwise measures, plunge the country into a depth of calamity, from which it could not be easily extricated, merely on the idea that such a minister might be made an example of afterwards. What would they think, if those who opposed the right honorable gentleman opposite to him, saw him hurrying on the country to ruin; and, instead of resisting his destructive measures, were to say, "Stop awhile, we are aware that ministers are getting into a fine scrape, and then we shall have the satisfaction of making an example of them." In both cases, prevention, he maintained, would be preferable to punishment; and if the bank forewent the hope of making an example, and prevented the felony from being completed, they would do much better, and save their money; and, in like manner, opposition did their duty best, in endeavoring to rescue their country from ruin, and their constituents from taxes, by checking a minister's career in time. With regard to the motives of the war, Mr. Sheridan remarked, that he did not think them of great importance; but the grounds of it seemed to him

to be so extravagantly ridiculous, that he could not convey his sense of the arrogance of our interfering, better than by supposing that Russia had treated us so at the end of the last war, and letting the house feel it as their own case. Suppose, when we were making the peace, she had insisted on our giving up Negapatam, in the East-Indies, to the Dutch ;—extravagant as this might appear, it was not more so than our insisting on her restoring Oczakow to the Porte. Imagine, then, that she had made a point of our resigning Negapatam to the Dutch, meaning on her part to give it to Denmark, or some other of her allies. What should we have said to such a demand ? The answer would have been, what has Russia to do with our possessions in the East-Indies ? We should have repelled the demand, and treated it with contempt. Suppose, in that case, the Empress had sent a fleet down the channel, and burnt Hull, in its way to London, where, on her arrival, she was determined to enforce her negotiations, by acting as an armed mediator ; should not we have thought that Russia acted most arrogantly, and most unwarrantably ; and yet, her conduct in that case would not be more extraordinary than ours in the present instance. Mr. Sheridan added, that he shrewdly suspected we were led on by our allies ; and that the real cause of the war was a Prussian object in Poland. Suppose, however, that we went on with the war, and that in the end, the Emperor obtained what he wanted in Moldavia and Wallachia ; the Empress what she wanted in Turkey ; and Prussia, Thorn and Dantzic ; in that case, he would venture to predict, that the lot of England would be to pay the piper, and that the expense which we might incur would be all that would fall to our share. Mr. Sheridan now adverting to the Chancellor of the Exchequer, arraigned his conduct, and declared that he should not be afraid to go through his whole political life, and would undertake to prove, that

most of his measures had been pregnant with mischief to the country. In the moment of bringing forward each, the right honorable gentleman had said to the house, "Give us your confidence; we are responsible!" Confidence might not, Mr. Sheridan said, be always well applied. He asked, whether the right honorable gentleman recollected the very different prospects which we had been taught to turn our eyes to in this year? Did he recollect that this was the promised millenium! that halcyon year, in the spring of which we were to taste the sweets and blossoms it was to produce? Did the right honorable gentleman reflect, that he had told them that they should not only have their income equal to their expenditure, but a clear million a year surplus to pay towards the diminution of the national debt, and a permanent peace establishment? Mr. Sheridan contrasted this with the actual state of the moment, the immediate prospect of another war, and the certainty of additional taxes. The people, he observed, would not bear the intolerable burdens under which they must then groan, unless the right honorable gentleman came fairly forward, and assigned a satisfactory ground for going to war. There was not one gentleman in the house who really saw a motive for it which he could reconcile to any reasonable idea. With regard to confidence, he declared that he should not give his confidence to ministers to treat with foreign courts, unless the first department of office, in which all our foreign negotiations lay, were rescued from the hands of a person who, to an overcharged conceit of his own abilities, added the rashness which always must attend inexperience, and placed in the hands of a man familiar with foreign courts, and possessed of dexterity and simplicity sufficient to enable him to discharge the duties of the office with skill and with success. By dexterity, he said, he did not mean that cunning which another person mistook for craft, and that craft for wisdom; he meant

dexterity to discover and ward off the devices and intrigues of foreign ministers, and others ; and simplicity to follow the strait-forward path of open manliness and plain dealing himself. He declared that he would leave it to the house to make the application of this contrast, but unless a department of so much importance, considering the present situation of foreign courts, were placed in such hands, it was impossible for him to give confidence at such a time to ministers ; nor had they, in fact, any right to expect it from him, who had uniformly and openly resisted the right honorable gentleman's measures.

Mr. Sheridan next turned his attention to the conduct of the right honorable gentleman opposite him, respecting Holland in 1787, for which praise had, on all hands, been candidly allowed him. He declared that if the question was put to him, and he was asked if, as a single measure, he rejoiced at it? he should, without hesitation, answer, that he did not ; because he never could rejoice at seeing the stock of liberty diminished ; and, by our interference, that noble republic was again reduced to the miserable state of vassalage under which she had so long groaned ; but, when he considered that it was probable at the time that Holland would have become a province to France (though subsequent events had since proved that it could not have been the consequence), he was ready to join in commending the conduct of the right honorable gentleman on that occasion. But if it were true, that the recovering our connection with Holland was nothing more than a part of a system, and that the fortress of Oczakow were to be traced from the canal at Amsterdam, he should reprobate it in the strongest terms ; he would fairly declare, however, that he did not believe that the right honorable gentleman had entertained an idea of any such system at the time. He suspected that the right honorable gentleman's measures had carried him much farther

than he had ever intended to go ; and that the pretence of its having been a part of a predeterminate system, was nothing more than a salvo assumed for the purpose of covering the extraordinary conduct of the right honorable gentleman. Mr. Sheridan here descanted on the chance of our next year, having fresh press warrants issued, and being called upon to arm, in consequence of our having formed an alliance between Poland and Prussia. He went through a summary of what had passed in the different courts of Stockholm and Madrid, during the administration of Mr. Pitt, and imputed blame to him on the events of each. He also said, that among evil consequences of the pernicious system arising out of the treaty with Prussia, it had fastened on us a concern with the Germanic league, and that we should be lugged in as parties to the measure. He declaimed against the system, and said, let us call it any thing but a system of peace ; let us say it is a system of ambition, of vain glory, to see the offspring of the immortal Chatham, intriguing in all the courts of Europe, and setting himself up as the great posture master of the balance of power, as possessing an exclusive right to be the umpire of all, and to weigh out, in patent scales of his own, the quantity of dominion that each power shall possess. Was not the right honorable gentleman establishing a principle which would make it the interest of all India to act against us ? Was he not attempting to stand forward as such a peace maker, as the peace of all Europe would make it necessary to exterminate ? Mr. Sheridan mentioned the conduct of Mr. Elliot in Sweden, and having stated what had passed there, he referred the house to the speeches of His Majesty, which had all told them, that our court had continued to receive the strongest assurances from foreign powers, that there was no danger of our tranquillity being likely to be disturbed ; and he desired them to compare what had happened from time to time. With regard to the

revolution in France, he did not mean to go into the discussion of that subject; his opinion upon it remained fixed, and would continue the same; but there was one point which all mankind agreed in rejoicing at, as a consequence of the French revolution; and this was, that she could no longer go about intriguing, and setting the rest of the courts of Europe at enmity with each other. Were we, he asked, willing to take up the little, busy, tattling spirit of intrigue, that worst part of the character of France, and run about producing fresh wars and fresh disturbances. He had not thought that any thing could have induced him to lament the loss of French enmity; but if such was to be the case, he should do so most seriously. He had hoped that what had happened in France would have served as a useful lesson, and that we should have had leisure to have improved by studying it.

The house divided on the previous question; ayes, That Mr. Grey's motion be now put, 172; noes 252; majority for the previous question, 80.

APRIL 21.

QUEBEC BILL.

The order of the day for the re-commitment of this bill having been read,

Mr. SHERIDAN observed, that as, on the present occasion, the number of members within the house was far from being considerable, he trusted, that if the right honorable gentleman absolutely wished that the principles and regulations of the bill might become the subject of examination and discussion, he would postpone its consideration until a future and more convenient day. Indeed, the circumstance of his having fixed upon this day, immediately before the holidays, when the attendance of the house was unusually thin, for the re-commitment of the bill, had induced several members to

believe that it was not his serious intention of bringing it on; and they had in consequence absented themselves, though they would otherwise willingly have been present. There was another reason why the consideration of the bill should be put off. The right honorable gentleman had, indeed, laid information upon the table, but he had not moved that it should be printed; and certainly, if he had intended that this information should have been perused, and considered by the members, he ought to have made the motion. Mr. Sheridan conceived that it should now be printed, and the Easter holidays would afford members an opportunity of taking it into consideration, so that they might be better prepared to state their opinions. There was still another reason why he considered delay as necessary, not only to the house, but to the right honorable gentleman. It was not, till lately, he understood, that the very persons had not been consulted in this business who were most interested, and best qualified to give information. It was certainly requisite, in forming any new system of government, to obtain the most perfect acquaintance with all the particulars of the situation of those who were to be governed, as well as to pay the utmost attention to their opinions with regard to the nature of the regulations which ought to be adopted. It might appear proper to consult those who were to be governed, beforehand, as it was certainly desirable that every government should meet the wishes of its subjects. It was politic, as people were most sensible of their own wants, as they might be supposed to be acquainted with the causes from which they rose, and qualified to point out the means of remedying them. By some strange neglect, however, the right honorable gentleman had not communicated on the subject with those very people from whom he was most likely to have received information and advice.

The re-commitment was adjourned to the 6th May.

MAY 18.

WAYS AND MEANS.

Mr. Pitt having stated the articles of expenditure, and of ways and means of the year,

Mr. SHERIDAN objected, on general grounds, to the right honorable gentleman's (Mr. Pitt) statement, but he admitted that the day was at last arrived when he could agree with the right honorable gentleman, that the report of the committee of finance was as fair a report as could be expected. There were, Mr. Sheridan said, certain omissions on both sides of the account, which would not have happened had he had the honour of being a member of the committee, and to which he objected; but as he meant to name the first vacant day for discussing it, it was not his intention to go into it then; he would barely remark that the report coincided with every word he had ever troubled the house with on the subject. The committee had stated their report with great candour and great accuracy, and the result, Mr. Sheridan said, was, that it was evident His Majesty's ministers had, since the year 1786, gone on with such encreasing prodigality, that the new report, so far from confirming what the report of the committee of 1786 gave the house to expect, viz. that they would be that day voting the permanent peace establishment as they stated it, stated, that in 1791 they were actually called on to vote half a million more, which, with the increase of the casual expenses, made a difference of 1,300,000*l.* more than they were given to imagine would be the expenditure of the present year. Mr. Sheridan said, he did admit that there had been an increase of income within the last year, but gentlemen must not go away with the idea that the expenditure had not greatly exceeded what the revenue committee of 1786 taught them to expect would be the expendi-

ture of the present year. Before, therefore, they adopted the report of the new committee, the alarming circumstance that he had mentioned ought to be explained to the country. Mr. Sheridan, in the course of his speech referred to Mr. Steele's argument on a former day, and supported his assertion, by stating the particulars on which he rested it, viz. that there was a permanent increase of 500,000*l.* on the total amount of the expenses of the army, navy, ordnance, and miscellaneous services; and 800,000*l.* arising from incidental and casual expenses. He added that we had paid off annuities of 200,000*l.* a year, and added a permanent increase of 500,000*l.* a year to the national expenditure.

*Mr. Pitt expressed his satisfaction at the honorable gentleman's declaration, that he would name a separate day for the discussion of the subject; because, if the honorable gentleman, or any other, entertained doubts upon the report of the committee, or on any part of what he had stated that day, it certainly would be better to discuss those doubts on some particular day, than in a conversation, when another and a different topic was under consideration. With regard to the allusion to what had been said by his honorable friend (Mr. Steele) on a former day, he was very confident his honorable friend never did state the permanent revenue as likely to be that, which the honorable gentleman had just imputed to his honorable friend; but the amount of his honorable friend's argument had been that in case the expenditure should, from accidental circumstances, increase, the income of the country would proportionably increase, so that the public receipt would at all times cover the public expenditure. Mr. Pitt proceeded to observe, that there was no part of the subject which was not familiar to the house, and which had not been debated again and again, in every session since the year 1786. He declared himself happy, however, that the honorable gentleman agreed with him in giving due praise to the candour, the fairness, and the accuracy of the committee of finance, as exemplified in their report. As to the amount of the expenditure, the honorable gentleman, he observed, had stated, that there was an increase of permanent establishment of 500,000*l.*; in answer to which, he must declare, that much of that increase was not to be considered as expenses which would be permanent, but as charges that were accidentally incurred. These charges Mr. Pitt stated, and particularly mentioned 201,000*l.* for necessities in our dock-yards, which would of course operate as a saving in future. In answer to the extraordinary manner in which the honorable gentleman had commented on other parts of the subject, so as to make up his alleged increase of 1,300,000*l.*, he must, he said,*

be indulged with a few words. He then went into a detail of the whole expenditure; and concluded with observing, that Mr. Sheridan included in his excess the deficiencies of the land and malt, and the sum destined for the American loyalists.

Mr. Sheridan begged leave to say a few words in reply, and he declared, they should be a very few words. Referring to the report of the committee of revenue of 1786, he shewed, that the report of the committee of 1791, in the statement of the expenditure, directly contradicted what the report of the committee of 1786 taught them to look forward to, as the probable peace establishment in the year 1791. Another word, he said, he must utter, with regard to the challenge given by the honorable friend (Mr. Steele) of the right honorable gentleman. The latter denied his right honorable friend had given any such challenge or pledge, as he had expressly stated when the subject was last the ground of debate, and seemed to treat it as a ridiculous thing, that his honorable friend, or any of his honorable friends, could have attempted to justify the report of 1786. Mr. Sheridan observed, that the Chancellor of the Exchequer had himself admitted an excess of 380,000*l.* in three articles only, exclusive of the miscellaneous articles; and, therefore, he contended he had a right to say, that there was a half million increase on the permanent establishment. It was, he declared, a point on which he should particularly insist, and it ought not to be slurred over; but the country, should know precisely, how the case stood. They had, he said, brought up annuities of 200,000*l.* and incurred a permanent debt of 3,000,000*l.* The fact was, the subject had been delusively stated, and glossed over, in order to appear well in the eyes of the public,—and so he had ever contended; but it had never been admitted at all, that any part of what he disputed was found before that day; whereas, from what the right honorable gentleman had himself said that day, it was evident to the committee, he

had been correct in all he had advanced. Mr. Sheridan before he concluded, went into particulars to prove his assertions, and desired the committee to attend to the whole of them in forming their opinion on the subject.

Mr. Pitt, in reply, again detailed the principal articles of the expenditure, in order to prove that the honorable gentleman was completely mistaken.

Mr. Sheridan got up once more, to answer several parts of Mr. Pitt's last argument. He admitted, that a great cause of the increase was to be imputed to unforeseen circumstances; such as the provision for the younger part of the royal family, which he declared he highly approved; but he contended that every year would bring with it its amount of casual and incidental expenses, which ought to be allowed for, and, therefore, it was incumbent on them to inform the country of the real truth, and not delude the people, by telling them that this year there would be such a surplus, and next year a greater, when the chance was entirely the other way. Mr. Sheridan mentioned the finishing of Carlton House, which would occasion another increase, and to which the house was committed, having promised to provide for it—the Prince having no interest to provide for it, &c. and, therefore, it must soon come under consideration. He also adverted to the debt from Holland, and said, if the payments by instalments, were applied to the expenditure instead of extinguishing the public debt, the whole of that loan must be added to the amount of the national expenditure.

Mr. Pitt's resolutions were put, and agreed to; and the house being resumed, the report was ordered to be brought up on the next day.

MAY 23.

REPORT OF THE COMMITTEE OF FINANCE.

Mr. SHERIDAN rose to give notice, that he meant, to-morrow se'nnight, to bring forward some resolutions on the report of the committee of finance. He informed the house the manner in which he proposed to do this, would be by moving for the house to resolve itself into a committee of the whole house, to which he hoped the right honorable gentleman would have no objection; when he intended to move some resolutions of fact; the ground of which, he had no doubt, he should be able to make out to the satisfaction of the house. Mr. Sheridan lamented that he could not name an earlier day for the business, but it was on account of other gentlemen, who wished to be present, and could not be in town sooner, that he was obliged to take so distant a day.

Mr. Pitt said, he could have no objection to such a discussion being brought forward; but he hoped a day would be named in the present week.

Mr. Bastard rose, and moved, "That a committee be appointed to compare the report from the committees in 1786 and 1791, to enquire into the income and expenditure, and to report their observations upon the same to the house."

Mr. Sheridan said, he certainly should second the honorable gentleman's motion. He declared he thought it was extremely proper that both the reports of 1786 and 1791 should be referred to a third committee, because it was undoubtedly true that there were a great many contradictions in both reports, as stated by the honorable gentleman; and for that reason, they ought to be referred to a third committee, in order to ascertain which of them was true. He despaired, Mr. Sheridan said, of being able to effect this; and, therefore, should have satisfied himself with barely moving, that the house resolve itself on Tuesday next, into a committee of the whole house, to take into consideration the re-

port of the finance committee of 1791; and after they should have resolved themselves into that committee, he should move certain resolutions of fact respecting the report. If the right honorable gentleman did not agree to the two reports being referred to another select committee, he hoped he would not object to the house going into a committee, to take the last report into consideration.

Mr. Bastard's motion was negatived without a division.

Mr. Sheridan, in reply to Mr. Pitt, said, he certainly should be extremely glad to accommodate the right honorable gentleman, but it depended not on himself. With regard to the right honorable gentleman's remark on his manner of speaking, he really had wished to convince the right honorable gentleman, without any effort to appear so, that he was serious in wishing the two last reports of the finance committees, to be referred to another committee. He was, he confessed, amazed to hear any complaint of delay from the other side of the house, and more especially to hear it come from the right honorable gentleman, as it must be recollected, he had repeatedly censured the right honorable gentleman, for his regular procrastination of important public business, till the end of every session. He declared he had expected, that the last report of the finance committee would have been brought forward long ago; since, before the Christmas holidays, the right honorable gentleman had taunted him on the ground of his supposing that he would not bring the motion for the appointment of a committee of finance forward immediately after the Christmas recess; but so far from doing this, the right honorable gentleman had not brought it forward for three months afterwards, and the report of that committee had only been on the table about a week or eight days; and it was not, surely, Mr. Sheridan said, very much his fault, that he had not read the report before it was received and printed.

With regard to the day of taking it into consideration, he was, on his part, extremely desirous to have it considered some day in the present week; but one gentleman, who was on the committee, was obliged to be out of town all this week; and he wished that gentleman to be present at the discussion, as he understood he was desirous of stating his opinion on the subject. Mr. Sheridan hoped, therefore, that there would be no objection to Monday next; and if that day was agreed to he would write to the honorable member in question, to request that he would attend. He concluded with observing, that Monday, for the reason he had stated, was the earliest day he could name.

Mr. Pitt regretted the absence of the gentleman alluded to by the honorable member; but when he was told that an honorable gentleman who had been on the committee, was out of town, and wished to be present at the discussion, he could not resist the proposed postponement; he could not, however, but lament the state of public business, as he was afraid all in which he took a part, would be ended before Monday.

The Speaker put the question on Mr. Sheridan's motion, "That the house resolve itself into a committee of the whole house on Monday next, to take into consideration the report of the finance committee." Ordered.

MAY 27.

ROYAL BURGHS OF SCOTLAND.

Mr. SHERIDAN rose and said, that he would undoubtedly have been much obliged to the right honorable gentleman, for his intimation of the speedy prorogation of parliament, had it in the application he was about to make been necessary to enter into all the detail with which it was connected. But such detail would not only be unnecessary, but improper. Before he should proceed to state what he shortly had to say, Mr. Sheridan said, he should first endeavour to refute some insinuations that the business had not been taken up by those engaged in it with all the seriousness and

attention to which it was entitled. Every suspicion of this kind he thought it necessary to banish from the mind of the house, when he meant to call their most earnest attention to a business which he deemed of the utmost importance. In 1787, the first application on this subject had been made to parliament. It had been stated that the reform demanded was really no object to those who were chiefly interested. But how did this appear, when out of forty royal burghs, fifty-eight had petitioned for the reform; and he had been able to present to the house, a petition signed by ten thousand persons, almost all of whom were real burgesses. The first petition, however, sent to him in 1787, had arrived too late, as the period for presenting private petitions was then passed. In 1788, the application had been renewed. The honorable gentleman, who opposed him on the other side, (Mr. Dundas) had assented that a bill should be brought in, if it was printed, and had formed with him a sort of compromise; as an effect of which he expected, from his usual consistency of character, he would now second the motion. Another honorable gentleman behind him, (Mr. Anstruther) who had likewise opposed him in this business, whose opposition he could not but regret, and to whose influence, in every other respect, he wished well, except as an alderman of Pittenweem, had moved for all the charters and sets of the royal burghs, in order that they might be taken into consideration during the recess of parliament, with a view, no doubt, to the enquiry which should afterwards follow. Having moved for the materials which could only be useful, in order to institute an enquiry, it could not be expected that he should oppose its progress. It had then been stated too, as an argument for opposing it, that the reform was demanded, would completely overturn the constitution of the burghs. In this particular, they had obviated the objection, by joining issue, and in this state the business stood at the

end of the session 1788. In 1789, as all public and private business had been suspended, from an unfortunate circumstance which, at that time afforded regret to all good citizens, and which they must now wish might never return—not much progress could be expected to be made in discussing the reform of the royal burghs. The bill had been again printed, and read a second time. He moved for a committee, when the honorable gentleman had said, they took a wrong course, and instead of moving for a committee, in order to consider of a remedy, they ought first to move for a committee to examine into the facts, by which, the necessity of this remedy was to be proved. To this proposition they had assented. He moved for a variety of papers, which it was agreed to should be laid upon the table—and here again the matter rested. In the next session, Mr. Sheridan said, nothing had been done. The papers moved for, had not some of them arrived till the middle of May, and not till he had found himself obliged to renew the order. No part of the delay, he hoped, could be imputable to him—the delay, this session, he would take upon himself. He had, indeed, advised it not to be brought forward at all; this advice he had given, in compliance with the opinion of his friends; that in the present state of the public mind, as differently acted upon by the revolution of a neighbouring country, it would be prudent for a while to suppress all ideas of a reform at home. In this opinion, however, Mr. Sheridan owned, he could not agree. For if either a spirit of servility had got abroad among some, or wild enthusiastic notions of liberty were cherished among others, he deemed it equally incumbent upon parliament, uninfluenced by extrinsic circumstances, to shew their determined resolution to redress every grievance that demanded their interference, and attend alone to the calls of justice. He was likewise unwilling, he said, to bring forward a business of so much importance,

without that support which he most respected and esteemed. Looking to his object, he certainly considered it as no ground of censure to accommodate himself to means, whilst he made no sacrifice of principles. His objections, however, he had yielded to the wishes of those who were most interested, and he had the satisfaction to say, that he was supported in his attempt by names, which, if he were to mention, would not be deemed likely to countenance any act of rashness. He would first wish to remove every idea that in the present business there was any novelty attempted.

The honorable gentleman, who might be supposed well acquainted with the history of his own country, ancient and modern, would know that the internal government of the royal burghs, had always been an object of complaint and redress. He would read a commission so far back as the reign of Charles II. which enumerated the same grievances which were now actually stated to exist; and, among others, the misapplication of the public money, to the purposes of corrupt influence, an evil which was then a subject of complaint, and of which the honorable gentleman was to consider whether there now remained any traces. No new grievance was now the subject of complaint. Power had always been growing into abuse. The same evils had always existed. No remedy was granted; nor was it likely, that in the reign which he had mentioned, any provision should be made for securing the liberties of the subject. So had the matter rested till 1784; when, encouraged by the declaration of a right honorable gentleman, that he would always support parliamentary reform as a man, and as a minister, the friends of reform in Scotland had formed a convention, and sent delegates from the fifty-eight burghs, who had different meetings on the subject. In this state the business had fallen into his hands. Little more, he conceived, was necessary to be said. When fifty-eight out of sixty-six burghs have stated

great and positive grievances under which they labored, and when they had professed gratitude to a right honorable gentleman for the encouragement which he had afforded them to expect redress, he trusted that their gratitude would be confirmed upon solid grounds. If, after all the information had been procured, Mr. Sheridan said, they should refuse to look into such information by a committee, they would certainly, by thus shrinking from the enquiry, grant that evils existed, which they had neither fortitude to examine, nor virtue to redress. If what was stated as grievance was fact, he demanded redress, not as a matter of favor, but of right; as a claim which was not to be weighed by discretion, but which was established by justice. He should now shortly state the grievances which were complained of: First, the magistrates exacted, without legal authority, the cess or land tax. He was not to be told, that the sum thus exacted above the legal proportion was small. However small it was, the exaction was no less a violation of justice than an object of redress. Secondly, the magistrates assume a power of disposing of the public money according to their own discretion. Thirdly, they were self-elected, contrary to the law, as might be proved from the charters on the table. But what was the most serious grievance of all, there was no competent court of jurisdiction for the redress of grievances. In support of this assertion, Mr. Sheridan quoted the proceedings of the court of session, where, while the grievances had been allowed to exist, the court had been declared incompetent for redress. Nor did this competency which was wanting in the court of session, reside either in the court of exchequer, or in the convention of the royal burghs; so that here was an evil existing, where there were absolutely no means of redress. He begged, however, to state, that he did not mean to include all the magistrates in the charge, which he had brought forward, of abuse; far less would he

impute to his opponents any unworthy motives ; as he trusted they would do justice to those motives of regard for the constitution, from which alone he had undertaken the present question. Whilst he gave credit to the inhabitants of Scotland for those advantages which they derived from a spirit of enterprize and industry, he wished likewise to secure them the full protection of law, and the benefits of an equal and fair administration of justice. Mr. Sheridan then moved, “ that the several petitions, accounts, and papers, presented in the last session of the last parliament, relative to the internal government of the royal burghs of Scotland, should be referred to a committee.” He said he did not know that parliament would be soon prorogued ; it was an event entirely unexpected ; nor did he see at present any reason for the strange scrambling expedition which had lately been used with regard to the public business. Much progress, however, might still be made ; and if parliament was not prorogued till Mr. Hastings should bring forward his defence, all that was wished might be attained. If, however, he should not now succeed in making that progress in the business, which he wished, he should hope, that he would, at least, be allowed to take it up at an early period of the next session.

Mr. Fox seconded the motion ; but subsequently moved, as an amendment, that the words “ early in the next session,” should stand as part of the motion.

Mr. Sheridan agreed to the amendment, but thought it necessary to make some reply to several things which had been said in the course of the debate. He could not help saying, that he thought his honorable and learned friend (Mr. Anstruther) had treated him rather harshly in ascribing to him motives for delay, which he begged leave entirely to disclaim. The honorable and learned gentleman had said, that the first part of his speech had been an apology for these delays ; now, he neither had

made, nor meant to make any apology on that point, although he thought it necessary, and no more than his duty, and his wish, to explain to the house the different causes that had occasioned those delays, which it was not necessary for him to recapitulate a second time. He could not avoid, Mr. Sheridan said, taking notice of what the honorable and learned gentleman had said, about his stating, in his former speech, his belief that he would have the support of the right honorable gentleman opposite to him, because that right honorable gentleman had been anxious for a parliamentary reform, and that he had wished, as it were, to keep the right honorable gentleman to a bargain on that point. In answer to this he would say, that the honorable and learned gentleman seemed not only to recollect for himself what had formerly been done in this business, but to recollect for the honorable gentleman opposite to him likewise. And, Mr. Sheridan contended, that those who wished for a parliamentary reform, must, agreeably to consistency, be friends to the present proposition which he had the honor to bring forward this night. He said, he must here disavow the charge that was brought against him by the right honorable gentleman, of having, at this time, taken the house by surprise, by the notice which he had given of his motion a few days ago. On this point he had already given, he trusted, sufficient reason for the delays in former years, and likewise why he was so long in bringing it on this session ; but certainly nobody could think from that, that he had abandoned the subject entirely ; if they did, they were very much mistaken ; and he begged to recall to the right honorable gentleman's recollection, that it was upon his suggestion that he had dispensed with the second reading of the bill last year, in order that there might be time and opportunity given to state the specific grievances, and propose a suitable remedy, because it certainly was proper that enquiry should precede reform.

Now the right honorable gentleman must allow, that the enquiry had been made; he trusted, therefore, that he could not refuse granting the remedy applied for. Mr. Sheridan said, he agreed perfectly with the right honorable gentleman, that a decision was necessary, and he was anxious that it might be had as speedily as possible. He contended, that the application of these burghs was certainly so far connected with parliamentary reform, inasmuch as they complained of the self-election of the magistrates. In this and other grievances, however, his honorable and learned friend contended, that they had no right to complain, because all the English burghs were in the same situation; but this he denied, because whatever was the charter of English burghs, or the cess of Scotch burghs, the English could not act against the spirit and essence of their charters, but the Scotch had done so very often. After what had been said at different times in that house, it would be needless for him to detain the house with a minute detail of all the grievances which were complained of; and he hoped, if it were, as the honorable and learned gentleman had stated, that the English burghs were in the same situation, it would not be admitted as a just argument, that abuse ought to continue in any other place, because it existed in London. In his opinion there ought to be no power of abuse without a power of remedy, which seemed to be the present state of the royal burghs of Scotland. Mr. Sheridan then remarked upon the arbitrary power and conduct of the convention of burghs, which sit annually at Edinburgh. Upon an application and complaint made to them by respectable inhabitants of a burgh, to enquire into some conduct of their magistrates, which was thought to be improper and against the interests of the burgh, this convention took the matter into their consideration, and stated, that to promote the harmony, good will, and tranquillity, as well as the peace and good order

of the burgh, they had given what they called the following *decreet arbitral*; which was a sentence, "That the burgesses, deacons, &c. have no right to hold meetings, to confer, or treat upon subjects of this sort." By treating, it was not meant, entertaining, as canvassing at an election, but merely arguing upon matters respecting the burghs; and in this manner they discharged and forbade all such complaints, and declared the rights of the burgesses in that part of the kingdom, on matters in which no one could deny that their interests were materially concerned. Such, Mr. Sheridan said, they found to be the liberal free cess of one burgh, agreeably to their present constitution, or rather according to the interpretation which the convention gave to that constitution. Another cess which some boroughs enjoyed, no doubt, for the same purpose of promoting harmony, peace, and good order amongst the inhabitants, was of a nature that prevented certain degrees of consanguinity, such as fathers and sons, brothers, and so on, from holding offices in the magistracy; a circumstance, the wisdom and propriety of which he did not mean to enter upon at this time.

Mr. Sheridan's original motion was then put, and negatived.—After which, he adopted Mr. Fox's amendment, and moved,

"That the house will early in the next session of parliament, take into consideration the matter of the petitions, and other papers, presented to the house in the last parliament, relating to the internal government of the royal burghs of Scotland."

Mr. Erskine seconded Mr. Sheridan's motion, which was agreed to, nem. con.

MAY 30.

REPORT OF THE COMMITTEE OF FINANCE OF 1786.

Mr. SHERIDAN rose, and moved, that the notice, which stood as the order of the day, for him to move for a committee to take into consideration the re-

port of the committee of finance, of 1786, and the report of the committee of 1791, might be read.— The same having been read, Mr. Sheridan stated, that there were certain papers to be presented that day, which it might be material for him to refer to; and, therefore, he thought it right to move to have the order discharged and entered for the next day. He said, he hoped he should have no occasion to refer to the papers in question, but as it was impossible for him to say beforehand whether he should or not, he would move for the discharge of the order. It was discharged accordingly, and entered for this day.

Mr. Pitt, who happened not to be in the house at the time the foregoing motion was made, but came in just after, said, he understood the honorable gentleman opposite to him, had moved to put off the consideration of the two reports from the committees of finance, till the next day. He hoped, however, the discussion would really be brought on this day; and, as the honorable gentleman had called the attention of the house to the subject, he gave him notice, that if he moved any propositions, he should either object to them, or move amendments upon them; or, perhaps, move such other propositions as would bring the whole state of the subject fairly and fully before the public.

Mr. Sheridan, in reply, said, it appeared to him to be rather premature in the right honorable gentleman to talk of objecting to his propositions, or of moving amendments, before he knew what those propositions would be. He did assure the right honorable gentleman, that he would endeavor to make it as difficult as possible to the right honorable gentleman, either to object, or move amendments upon his propositions, which would be resolutions of fact, founded upon figures, to which it would be almost impossible for the right honorable gentleman to object.

When the papers were afterwards presented, Mr. Sheridan moved to have them printed.

A short conversation then took place between the Chancellor of the Exchequer and Mr. Sheridan, on the ground of its being impossible to have all the papers printed in time for the next day. In the course of the conversation it came out, that a material point in the discussion

would be the consideration of the disposal of the money voted for the finishing of Carlton-House, and that Mr. Pitt had yesterday morning received a letter on the subject officially from Lord Southampton, which Mr. Sheridan wished to have laid before the house. Mr. Pitt said he really had not had sufficient leisure to consider what was proper to be done with it, or what answer to send, but the honorable gentleman need not be afraid of his wishing to conceal it; since, if he could have any such desire, it was not in his power to carry it into effect, as the person who sent it might furnish a copy.

JUNE 2.

SUMS VOTED FOR CARLTON HOUSE.

Mr. SHERIDAN rose, and observed, that the return made to his motion for papers relative to Carlton House, was so far defective, that a paper which he considered as of very considerable importance, had been wholly omitted. This omission he by no means ascribed to design, but merely to accident. To explain the nature of this paper, he read a resolution moved some years ago by the right honorable gentleman over against him, (Mr. Pitt) and agreed to by the house, namely, "That an address be presented to His Majesty, that he would be graciously pleased to issue from his civil list, the sum of £20,000 towards completing the works at Carlton House, as soon as estimates of the whole of the expense for completing the same should have been laid before the Lords Commissioners of the Treasury." From this resolution it appeared that the money ought not to have been issued until estimates of the whole expense should have been previously procured by the Treasury: but the Lords of the Treasury had in point of fact issued the money, without having previously taken care to have estimates made out by the Board of Works. That it was by the King's and not by the Prince's servants that the estimates ought to have been made out, appeared from this, that Carlton House belonged not to the Prince of Wales, but

to His Majesty ; and consequently the money having been voted for repairing a house, which in reality belongs to the King, and not to the Prince of Wales, it was by the King's surveyors, and not by those of the Prince, that the estimate ought to have been made : the person therefore to whom the money was issued, ought to be considered as a public accountant, and bound to render to parliament an account of the expenditure. In this light Mr. Holland ought to be called to give an account of the expenditure of the several sums which had been voted for Carlton House.

This, Mr. Sheridan said, he thought it necessary to say, as a report, as strange as it was false, had got abroad, that the money voted for completing Carlton House, had been taken out of the hands of those whose duty it was to apply it to the purpose for which it had been voted ; and that it was applied to purposes of a very different nature. The unfinished state of Carlton House might induce people to believe this, who did not know that His Royal Highness, not considering the money as his, but as voted for the repair of his father's house, had made it a point never to touch a shilling of it. Mr. Sheridan then observed, that in a letter from Colonel Hulse, in the printed accounts, it was stated that several papers were inclosed to Mr. Pitt, one of which, marked No. 5, contained Mr. Holland's estimate of the works, and an account of the money expended upon them. Now it so happened, that this paper, marked No. 5, had not been laid before the house ; he moved therefore that it be laid before the house.

Mr. Pitt said, that an estimate had been delivered to him for His Majesty's perusal, stating the amount of the sum necessary for completing and furnishing Carlton House ; in which so few alterations were made by the King's surveyors, that he thought it best to pay the whole sum ; and it was accordingly paid into the hands of the Prince's Treasurer. As to the paper for which the honorable member had moved, he believed it was actually in the printed accounts,

though it was by mistake marked No. 6, instead of No. 5; for Colonel Hulse's letter mentioned no more than five inclosures; this No. 6, was therefore the precise paper which ought to have been marked No. 5.

Mr. Sheridan said, the right honorable gentleman was mistaken; for if he would read Colonel Hulse's letter again, he would find that it mentioned things as contained in No. 5, of which nothing appeared in No. 6. He still insisted, that the minister, in obedience to the resolution of the house, ought to have ordered the King's surveyors to make out an estimate for work to be done at a house which belonged to the King, and not to the Prince.

Mr. Sheridan's motion passed without a division. He afterwards wished to know if Mr. Pitt had any objection to a motion for a copy of a letter written to him (Mr. Pitt) by Lord Southampton on this business. Mr. Pitt having in reply stated the letter to be private. Mr. Sheridan gave up his intended motion.

Mr. Grey's motion for an address, imploring His Majesty not to prorogue the parliament without communicating some distinct information relative to the cause of the present armament.

Mr. Grey moved that an humble address be presented to His Majesty, to express the deep concern his faithful commons felt at being called upon for a promise to make good the expense of new preparations for war, after having been so recently obliged to impose on their constituents additional taxes on account of the late armament against Spain.

"Humbly to represent to his Majesty, that in the answer which they gave to His Majesty's most gracious message, his faithful commons, acted on by a firm reliance that His Majesty's paternal care and regard for the welfare of his people, would not suffer him, by a causeless interference in the disputes of other countries, to endanger the peace and tranquillity of this.

"That no inquiry was made into the particular circumstances which had induced His Majesty to arm, and a promise of support was given, as indefinite as the object for which it was demanded.

"That since that period two months have elapsed. The preparations for war are still continued. The expense for which His Majesty's faithful commons must hereafter provide is daily increasing. No information as to its cause or object has yet been given; and if parliament should now be prorogued, His Majesty's faithful commons will be placed in the disagreeable, and hitherto unprecedented, situation of returning to their constituents, after having subjected them, by a vote of this house, to new burdens, the extent of which

they cannot limit, and the justice or necessity of which they cannot explain.

"For these reasons, and others, which the circumstances of the times may suggest, His Majesty's faithful commons humbly implore His Majesty not to prorogue the Parliament, till His Majesty shall have it in his power to communicate to them some distinct information relative to the cause of the present armament: in order, that if actual hostilities should take place, and it should be necessary for His Majesty to incur any farther expense, his faithful commons may have an opportunity of exercising their hitherto undisputed privilege, and discharging their most important duty, in considering the extent and propriety of the same, as well as of assisting His Majesty by their advice, to form a just judgment both as to the expediency of past measures, and the policy of future Councils; and they humbly beg leave to assure His Majesty, that they will cheerfully forego the private benefits and comforts of an early recess, to fulfil a duty highly necessary to the public satisfaction, and of the utmost importance to the policy, if not to the salvation of the state."

Mr. Fox and Mr. Sheridan both rose to second the motion.

Mr. Sheridan in support of the motion, said, that much as the right honorable gentleman was entitled generally to the praise of ability, he certainly had not on that occasion advanced any argument which could make it necessary for him, or any gentleman, to rise; especially after the clear and explicit answer of his right honorable friend. There was nothing to reply to; nothing to refute; a convincing proof that the motion which had been made so ably, and in the support of which his right honorable friend (Mr. Fox) had wielded his Herculean club, was unanswerable. All the puny efforts of the other side to resist the blows of that club, served only to expose them more to the eyes of the house in the unequal conflict;—they were exhausted in argument. But his right honorable friend was not exhausted. His rich and fruitful mind had produced the new and irresistible arguments which they had given conviction to every thinking mind. But the opposite side of the house, Mr. Sheridan said, were not only tired but exhausted,—They were tired of being compelled to sit and hear accusations heard; and which, whatever might be the result, which they could not refute; tired of en-

during the scourge, and of being obliged at the same time to kiss the rod ; tired of their own supporters, whose clumsy defences served not only to aggravate their suffering, but to disgust their taste. And thus exhausted and spiritless they sat in dejected silence, and left the field to their conquering enemy. Ever till now, he said, the right honorable gentleman (Mr. Pitt) had at least made the shew of ingenuity ; he had always said something in vindication of the measures he had taken, or in support of the confidence which he claimed. But now he looked round with a supplicating eye, and pressed allies into the service, from whose aid, however, he did not profit, and whose excuses even he was forced to deprecate. Such was the situation in which the opposite side stood, and with such complete triumph were the arguments of his honorable friends to go forth into the country.

He could not, however, say, that there had been nothing new advanced on the opposite side. The right honorable gentleman had imparted two pieces of important information ; the one good, and the other bad. The bad point was, "that it was utterly impossible for him to say when the armed negotiation might be concluded, the answer might come in a week ; but it might be a fortnight, a month, two months, or three months." Thus the house was told that there was no reason to believe, that though Britain had armed to give vigour, dignity, and effect, to the negotiation of the cabinet, they had no knowledge, or even conjecture, of the time when it could be effectual. This was bad news, as it proved that firmness and decision, which ought to be the natural companions of an armament, were wanting ; and that though they had put the nation to all the expense, and had committed its character to the eye of Europe, they had not sent a message which must draw from the court of Russia a speedy and unequivocal answer. The point of information which

he considered as good news, was a discovery which the right honorable gentleman had made, that in case of the apprehension of an invasion, His Majesty might convene the parliament in fourteen days. He had not been extremely accurate on the point; but it was his opinion, that if, when we had sent our fleet to the Baltic, it should be discovered that there was an intention in the Empress to invade this country, the king might exercise his undoubted prerogative, and convene the parliament in fourteen days. This opinion was important; for, as the right honorable gentleman was going into the cabinet, it was of consequence to the house to know, that they would have the recommendation of the right honorable gentleman for this exercise of the power which was vested in the crown.

No man, Mr. Sheridan said, was disposed to deny the two prerogatives, of making peace and war, and of proroguing parliament; but he would make this unqualified declaration, that the prerogative of making peace and war was not to be exercised without consulting the two houses of parliament, when they could be consulted. The prerogative certainly ought not to be exercised without such consultation; and he would add, that it could not, without material detriment to the crown, and without endangering the best interests of the country. The two houses were the best and soundest advisers of the king;—for though he possessed the advantage of a privy council (the selection of the privy council, called the cabinet, was unknown to the constitution) the true and legitimate advisers which the crown was bound to refer to, was the commons and lords houses of parliament. It might happen undoubtedly, that the crown might be obliged, from external circumstances, to declare war at the time he could not consult the two houses of parliament. It was true, and it was a defect in the constitution. It was a calamity, Mr. Sheridan said, to which therefore the nation might be occasionally

subject. But would they covet that situation by choice, which was a necessity and a fault? Would they voluntarily put themselves into a situation in which they could not derive the fair benefits of the constitution which was our boast? Mr. Sheridan desired, that they should not be called on to make this sacrifice of their duty; he desired, that that which was their right, as truly as the prerogative of declaring war was the right of the king, namely the right of advising the crown, might not be surrendered by their own supineness, nor suffered to be taken from them by the act of ministers. The address to the crown, which they had voted, saying generally that they would make good the expenses of the armament, was, in truth, an unlimited vote of credit; and this he averred was an act which the commons house of parliament had no right to do, consistently with the compact which subsisted between them and their constituents. The King, he said, must not dare to violate his compact with the people; and in like manner the compact between that house and the people of England was equally binding; and by granting an unlimited vote of credit, they had done that which they had no right to do. If they should be told that they ought not to require previous information, as the purse was still left to them, Mr. Sheridan said, he denied it. They had surrendered the purse-strings; they were to be separated and sent adrift; and the key of the strong box of England was left in the hands of the right honorable gentleman. He was to draw on the public for what sums he pleased; nay, and without ever pledging himself that at any future time he would explain to the country what was the true meaning of his pursuit. What he had said on a former day, in the way of promise, did not amount to what a learned gentleman (Sir Elijah Impey) had said; and it was more explicit than what the right honorable gentleman himself had recollected. Something between the two, Mr. She-

ridan said, struck his memory, as being the assertion. It was evident that the promise which he had made on the affair of the Spanish armament, and which he had broken, had taught him prudence; and he was now cautious how he promised to give them any satisfaction at any time. On the Spanish armament, he had directly promised them to explain the whole of the negociation;—but on its close, not one explanation had been given:—if he had kept his word, he would have convinced every gentleman of the impolicy, injustice, and folly of the whole measure. Mr. Sheridan concluded, with observing, that the experience of that armament ought to make them cautious on this; and he thought that they ought to come to a resolution, declaring that the house should receive from ministers, at a future time, a full and explicit disclosure of all the circumstances of this armed negociation; that they might be able to judge of the policy and wisdom of the measure, on which, without explanation, ministers had demanded the confidence and the money of the people of England.

The house divided on the question; ayes, 75; noes 170.

JUNE 3.

REPORT OF THE SELECT COMMITTEE APPOINTED TO EXAMINE THE SEVERAL PAPERS RELATING TO THE PUBLIC INCOME AND EXPENDITURE.

Mr. SHERIDAN rose, and said, he rejoiced that they were now in a form to examine with accuracy, whether his assertions and predictions on the state of the finances, or those of the Chancellor of the Exchequer, had been verified by facts and events. The committee need not be alarmed at the number of the resolutions which he meant to move (forty) although they were, he believed, one for every

member present; because, being founded on the reports of the revenue committees of 1786 and 1791, it required but little argument to support them. It was unnecessary, he said, for him to press on the attention of the committee, that no subject could be more important, than whether or not parliament was doing its duty to the public on the state of the finances,—was exhibiting a true account of their actual situation, and watching over every circumstance in the receipt and expenditure of the money levied on the people, with the attention that their duty to their constituents required.

Experience shewed, that all the circumstances of domestic economy, in which nations were formerly interested, the patriotism of their rulers, and the characters of this or that great man, were becoming daily of less importance, excepting the management of public money, and the mode of taking it from the people. When he considered this, he said, he could not but be surprised at the conduct of the house of commons, on a subject to which he thought they could not be too attentive. Instead of attention, he had observed, for many years, a remissness, which was far from creditable. From the examination of public accounts they seemed to shrink as from a task, which was either not within their province, or above their comprehension. Revenue regulations and tax bills they appeared to consider as things which they were to vote on confidence in the minister; notwithstanding the multitude of provisions which they generally contained, by almost every one of which the liberty of the subject was more or less connected. In consequence of this confidential carelessness, Mr. Sheridan said, he had never been able to get a tax bill printed, though he had often attempted it—an attempt in which he was persuaded he must at length succeed; for it was not to be believed that the house would persevere in passing bills, containing a great variety of important and complicated

clauses, without taking the ordinary means to comprehend and understand them.

It was not a little extraordinary, he said, that when they had appointed a select committee to examine and revise the report of the committee of 1786, on the state of the public revenue and expense, when the committee of 1791 had made an estimate of the probable expense of the future peace establishment, exceeding the estimate of the committee of 1786 by half a million, that the house had received that estimate without asking a single question respecting the cause of increase; and had voted supplies for the peace establishment of the current year, independently of the armament, exceeding the increased estimate by 800,000*l.* without a single reason assigned why the peace establishment of 1791 should be greater than that of future years was expected to be. It was equally extraordinary that the committee of 1791 told the house that the revenue had risen half a million above the estimate of 1786, and that the permanent expense had risen above the estimate in the same proportion; so that all the produce of new taxes, of arbitrary and oppressive regulations, of the unjustifiable extension of the excise laws since 1786, had gone to the support of new establishments, and not to the reduction of the public debt. It was not the duty of the select committee to inquire into the increase of the establishments. They had, however, made an estimate of it in their report, and such was the result of it, that the house had received it without the least surprise. Were an historian to give an account of the affairs of Europe since 1786, in his chapter of finance, after detailing the situation of other states, he might naturally say, "When we look to Great Britain, after the inquiry that she had instituted, and the principles of economy that she had laid down, we must suppose that she was availing herself of the quiet of her only formidable rival; and that the security which she consequently enjoyed

was employed in reducing her establishment, and applying her increased revenue to conquer the only enemy she had to dread—her national debt.” Instead of this, we had been increasing all the means of defence in proportion as our security increased ; and our ministers had thought it their duty to look out for new enemies, when France ceased to be the object of our dread. Mr. Sheridan said, he had heard the extraordinary increase of the revenue, exultingly stated by an honorable gentleman (Mr. Steele) before Christmas ; in opposition to which, Mr. Sheridan said, he had then asserted, that the average receipt, since 1786, did not amount to the estimate of 1786, and the report of the committee now proved the assertion. In that average he could not include the receipt of the last year, because he had not the accounts of it before him. But he admitted, that it had been great, and should, by and by, explain from what circumstances.

The committee of 1786 found the annual			
amount of permanent taxes at			£12,042,697
They had estimated it at	-	-	12,797,471
It produced in 1786	-	-	11,836,531

Falling short of the estimate	-	-	960,940
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The Chancellor of the Exchequer, continued Mr. Sheridan, whose business it was to raise public credit as he could, that he might lose as little as possible of his own, resolved to get rid of this deficiency, and to screw up the annual receipt by every possible means. It was highly proper to do this ; but it ought to have been done openly, on a fair statement of the cause, instead of being done by what was called regulation of taxes, which were in many cases new taxes, and other indirect methods.

It was a false principle, that the true state of the finances was not to be told to the public. Being once fairly and honestly stated, and open and avowed means provided to remove any deficiency,

public credit would increase with public confidence. As one instance of indirect revenue, the assessed duties, on pretence of frauds and evasions, were transferred from the excise to the stamp office; and instead of the usual mode of presuming every man to be innocent till he was proved guilty, every man was presumed to be a defaulter, who could not prove that he was not. Under the threat of a rigorous and expensive exchequer process, it was assumed that no man had paid at the excise office, and all were called upon to pay at the tax office. Those who had paid and had mislaid their receipts, or who did not like trouble, could not apply at the excise office, as they were told they might do, to have the payment made there returned, and by this mode a considerable sum was obtained, but certainly in a very unfair way of taxation. Something similar to this happened when 10 per cent. was added to the assessed duties, as part of the ways and means, for the expenses of the Spanish armament. About three months after, the collector came at Lady Day, and demanded 10 per cent. not for a quarter, but for a whole year. With just as much propriety, in point of principle, might he have demanded it for ten years. All these indirect modes of raising money did harm. Retrospective taxes deprived the consumer of the option which he ought to have, of using or not using the thing taxed; they insulted the feelings of men, and taught them to consider taxes not as a fair and necessary contribution for the public benefit, but as a harsh and unexpected imposition.

The average of 1786 and 1787 was	£12,295,663
Less than the estimate by	— — 501,808
The average of 1786, 87, 88, was	— 12,468,092
Less than the estimate by	— — 329,376
The average of 1786, 87, 88, 89	— 12,653,537
Less than the estimate by	— — 143,934

Thus all the accounts in which the great increase of the revenue had been blazoned forth, for four

years, had been circulated for the purpose of deluding the public, and obtaining an easy concurrence to the progressive increase of annual expenses.

The average of 1786, 87, 88, 89, 90 £12,879,308
Exceeding the estimate by — — 81,837

If the calculations, Mr. Sheridan said, were made on the amount of the permanent taxes, and the land and malt, the result would be still more unfavorable to the estimate of the committee of 1786. That committee, besides the taxes on which they calculated, pointed out various additional aids, so that the public had a right to expect a considerable surplus above their estimate. The Chancellor of the Exchequer had not been sparing of regulations; he had modified and amended tax bills with all the effect of new taxes, and extended the odious system of excise; and yet, with all these helps, the average produce of the revenue, since that estimate was made, gave only the inconsiderable excess above stated.— Gentlemen must own, that there never was a period more favorable to the increase of the revenue in all its branches, or than which a more favorable one could be expected. Now, in the produce of 1790, which alone had saved the credit of the committee of 1786, even in appearances, there were circumstances which contributed to swell the amount that could not be expected to be permanent. The produce of the fifty-third week, which came in only once in six years, was 193,000*l*. By the additional duties on spirits, imposed before Christmas, about 100,000*l*. had been brought into the account of that year, which was only an anticipation of the receipt of the next. The duties on spirits exceeded what they produced in 1786, by 500,000*l*. There was also an extraordinary increase on tea, wood, and tobacco. It had always been admitted, that putting tobacco under the excise laws, would increase the revenue for a short time; but it was denied that the increase would be permanent. It remained to be seen whether it would be so or not. The committee of

1791 said the increase of revenue might be relied on, because it was on articles of general consumption. The articles stated were so; but on many other articles of general consumption there appeared from the accounts to be a decrease. In the two last years 240,000*l.* had been taken out of the hands of the Receiver-General of the Customs, which was considered as a floating balance not likely to be diminished; but whether diminished or not, it could not come in aid of future years.

On looking at these, and other articles, Mr. Sheridan said, he did not think that the receipt of 1790 would be permanent. The select committee had very properly distrusted the receipt of that year, and founded their estimate on an average of three years. As he meant to follow their report as closely as he could, his resolutions were founded on that average. The expenditure since 1786 exceeded, on an average, the calculation of the committee by about one million. This excess had been defrayed by extraordinary aids, which were now first properly brought forward, and classed in the report of the select committee. They amounted to six millions; and by so much since 1786 had the annual expense exceeded the permanent annual income. From the account of extraordinary aids, the committee excluded the Dutch loan; now if the instalments by which it was repaid were paid into the hands of the commissioners for reducing the public debt, that exclusion would be proper; but as they were added to the ways and means of the current year, the repayments would be spent, while the annuity on which the principal was raised, remained, and would be as much an addition to the public debt as any other whatever. He was not less surprised, he said, at another passage of the report. After stating the extraordinary aids, it added, "from the nature of the articles, which have composed these extraordinary aids, it is evidently impossible to form any estimate of what farther receipt

may be expected under such of those heads, as can ~~regar~~ in future." This seemed to imply, that some of those aids might be expected to be efficient, or that something considerable might be still expected from the whole. He asserted, that none of them could be efficient to any degree, excepting the lottery. The respited arrears from the India company, amounting to 522,500*l.* being paid, could produce nothing for a future year. The arrears of land and malt due before 1786 had gradually diminished to a very small sum, and were now exhausted. Of the impress monies and monies repaid, amounting to 820,165*l.*, 600,000*l.* was received from the India Company for the expense of troops in India. This ought rather to be considered as a loan than an aid, because it was a claim which the company had always disputed. A right honorable gentleman (Mr, Dundas) had, indeed, said, "let us get the money. and see how they will get it back;" but if there was not a certain management, he would not say, collusion, between government and the company, there could be little doubt, but that they would get it back on the fair construction of the act of parliament, on which it was demanded. This appeared to swell the payments under that head for the last two years to a large amount; but if it were deducted, the produce of imprest monies and monies repaid, had fallen to nothing.

The repayments of the Dutch loan, Mr. Sheridan said, as he had already shewn, must either be applied to the extinction of debt, or the sum lent, added to the increase of funded debt. The army savings, which had arisen from the issues of the war, were no longer productive; in short, not one of the heads of extraordinary aids could be looked to in future, excepting the lottery, if parliament should think fit to continue it; and he should never think the finances in a flourishing situation whilst so mischievous a source was resorted to. Such being the future prospect of the revenue, what was the state

of the expenditure? The committee of 1786 estimated the navy at 1,800,000*l.*; the committee of 1791 estimated it at 2,000,000*l.* What confidence could the public give to such estimates, when they saw such an increase, without any reason assigned for it, and when they saw a sum voted for the current year considerably exceeding the highest estimate? The committee of 1791 had not stated any time at which a peace establishment, according to their estimate, might be expected; and in forbearing to do this, they had been wiser than their predecessors. He wished that ministers would try a peace establishment, if it were but a year or two, by way of experiment, to see how the circumstances of the country could bear it. The estimate of the army in 1786, was 1,600,000*l.*; in 1791, it was 1,748,842*l.* The ordnance in 1786, was 348,000*l.*; in 1791, it was 375,000*l.* The noble duke, at the head of the ordnance, stated such reasons for the increase, as shewed that new articles were always likely to arise, and that no estimate was to be depended on. The noble duke, who was a great economist, and had many qualities that fitted him for his department, if he were not so great an engineer, added reasons to his estimate, and then shewed how little faith was due to it.

Mr. Sheridan said, that he had now canvassed the heads on which the resolutions were founded; and he requested, that when the Chancellor of the Exchequer heard them moved, he would not negative or move the previous question upon them, unless he could shew that they were false. He said this, because he had moved resolutions on the report of the committee of 1786, which, though as clear in point of fact, from the report, as that two and two make four, the right honorable gentleman had negatived, on pretence that they contained facts indeed, but facts which it was not necessary to declare. It was hardly necessary, Mr. Sheridan said, to read the whole of them, because they were not a series of

logical inductions, but independent facts, and he should move the first.

Mr. Pitt wished to hear the whole, because the object of the committee was not merely to enquire, whether the resolutions were true or false, but whether they were material to declaring the state of the finances, as it appeared in the report of the select committee.

Mr. Sheridan then read his resolutions, with comments on each. The last, he said, was an inference from the whole, which, if true, it was a duty which they owed to their constituents to declare.

Mr. Rose thought it would be best to move the resolutions, and have them printed; which, though not strictly regular, might be done by a general concurrence.

Mr. Sheridan expressed his assent to this method.

Mr. Fox said, he had no intention now to enter into debate, but something had fallen from the right honorable gentleman, for which he was sorry. With some of the resolutions he had expressed his agreement, to others his dissent; but upon the general view he thought they needed not be put to the question. Now he was of opinion, that every one of the resolutions of his honorable friend ought to receive an aye or a no. The public ought to be convinced whether these resolutions were supported merely by the authority of an individual, or founded upon facts. Mr. Pitt had no objection to go into the detail; but this, he said, was a point which must depend upon the discussion that should afterwards take place. In the mean time, he did not think the authority of one individual sufficient to call the house to decide upon resolutions, which were not, upon the general view, deemed of importance. Monday he thought might be a fit day for the discussion. Mr. Pitt then read several propositions, drawn up by himself and a few friends, who, he said, had taken great pains with the subject. As to extraordinary expenses and extraordinary resources, neither of these, Mr. Pitt said, he had taken into consideration. If, however, it should be thought necessary to bring them forward, they would form two other resolutions. He trusted now that gentlemen, being in full possession of all the materials of discussion, would be enabled to come to a decided conclusion on the subject. Mr. Fox rose again and said, the chief object was not, in his opinion, the result that the house would form, but which the public at large would form; for though they had not in common with the members of that house, the advantage to be drawn from the power of reasoning upon figures, yet they could easily distinguish what were facts decided upon by the authority of the house of commons, and ground their opinion upon those facts. He repeated, that it was his earnest wish to have on every proposition a distinct affirmative or a distinct negative. Mr. Pitt said, that he had no objection to those facts which should lead to a conclusion.

Mr. Sheridan said, that his object was not merely to state facts and figures for the information of the house and the country, he wanted likewise something to be done ;—he wanted the house to disapprove of the extraordinary expense, that the minister might be called on for an explanation. If the expense of the establishments, he observed, should still increase with the revenue, a system would be established of the most lavish prodigality. The propositions of the right honorable gentleman, he said, were in general fair and explicit ; with the first, however, he could not concur. The income of these five last years had not exceeded the estimate of the committee of 1786 ; for they had asserted, that if certain laws were enacted for the protection of the taxes, they would produce so much more. On that ground he would negative the first resolution. They had likewise said, that the extraordinary expenses would be defrayed by the extraordinary receipts ; in this too they had failed, for a loan had become necessary.

JUNE 6.

REPORT OF THE FINANCE COMMITTEE OF 1791.

Mr. SHERIDAN expressed his satisfaction, that the adjournment of the consideration of his resolutions had taken place, as it had given them time to consider them, and he was sure that the more they were considered, the more they would be acquiesced in. He observed, that it would be the less necessary for him to trouble the house at any length, as he had gone into the subject only on Friday last. He was, he said, sorry to declare that he must differ from the resolutions which had been brought forward by the right honorable gentleman, (Mr. Pitt). Those resolutions were extremely short, and few in number ; his own resolutions were much more numerous. The first statement of the right honorable gentleman over the way, was, “ that the average

produce during the last five years of the taxes imposed previous to the year 1786, had exceeded the amount expected by the committee, appointed in the year 1789 to examine the public income and expenditure." That resolution, Mr. Sheridan, said, he must contradict. The other resolution of the right honorable gentleman, he observed, merely stated, that all the expenditure of the last five years had been defrayed either by the ordinary income, by extraordinary income, or by certain sums that had been borrowed; which no doubt was exactly the method by which the expenditure in all parts of the world must be defrayed; in such information, therefore, there was nothing very important or very striking.

Mr. Sheridan, having read over, in a summary way, the seven resolutions brought forward by the Chancellor of the Exchequer, declared, that he conceived they did not contain any great intelligence. He said, he thought it his duty to go more at length into the subject; and he had endeavored to shew how diffident a committee should be, when they were endeavoring to prove, what would be the probable amount of our future revenue and expenditure. The committee of 1786 on that subject, fell short by about 900,000*l.*; and he contended, that all the accounts which year after year had been laid before the public by the right honorable gentleman, were absolutely fallacious, and that the predictions of the select committee, had completely failed. He had thought it a part of his duty, Mr. Sheridan said, to shew, that the average of two, three, and four years, had fallen considerably short of the sum estimated; and that the extraordinary resources of last year had been very great, and had enabled them to say, that on the average of the last five years, the income did exceed the expenditure by about 51,000*l.* The right honorable gentleman had not only, he said, thought it sufficient to state that our expense had been defrayed by our income, but he had also

thought it right and necessary to state what the enormous amount of those expenses had been, in the course of the last five years, and the resources also ; and to direct the attention of the public to the unfortunate circumstance of its not being likely, that our expenses would diminish, when our extraordinary resources were nearly exhausted.

There was, Mr. Sheridan said, another singular circumstance highly worthy of observation, namely, that the finance committee of 1786, with a great degree of confidence, had laid down a peace establishment that was to have taken place at the end of the year 1790 ; the report of the committee of 1791 had added between 4 and 500,000*l.* to that peace establishment, without alleging a single reason for so great an increase. He said, he had stated that fact, merely to shew what little reliance was to be had on the committee of 1786 ; and he believed that committee was just as likely to be right as the committee of 1791. Mr. Sheridan contended, that whilst an annuity to the amount of 111,020*l.* had been redeemed by the commissioners, on behalf of the public, in the form of debt repurchased, an annuity of four times that amount was proposed to be entailed on the nation in the form of increased establishment. He wished, he said, to come to his last resolution, which if the committee would grant him, he would willingly agree to wave all the rest. He thought he had a right to have that resolution granted him, simply on the ground of the difference between the report of the finance committee of 1786, and that of 1791, with regard to the amount of the peace establishment. Here Mr. Sheridan read his last resolution to the committee, which was, “ that upon a due consideration of all these circumstances and accounts, this committee feel it to be their indispensable duty to declare that the great increase proposed to the permanent peace establishment in the report of the select committee of 1791, ought not to be considered as receiving countenance

or approbation from the house of commons until the causes of the same shall be fully explained, and the necessity of them made manifest." If the committee would but give him the last resolution, (Mr. Sheridan repeated) he was ready to give up all the rest. He then concluded with moving his first resolution, *viz.* "that it appears that the select committee of 1786 proceeded upon a supposition, that the annual and permanent taxes then subsisting were likely to produce annually the sum of 15,397,471*l.*"

*The Chairman having put the question on this resolution, Mr. Pitt moved an amendment, that there should be added the words, "including the land tax, 1,967,650*l.*; malt, 632,350*l.*; and the permanent taxes, 12,797,471*l.*"*

Mr. Halhead allowed that there had, indeed, been a woeful deficiency in the income of the first year, 1786, from what it had been stated by the select committee. But there was something, he said, unfair in fixing upon this particular year, 1786, and spreading the unfortunate deficiency of it over the average of all the others. Every year since, the income of the country had improved. And why should not gentlemen, instead of taking an average of the four first years, take an average which would be so much more favorable, of the two or three last? The last year had more than supplied the deficiency of the first. Mr. Halhead then went at great length into the calculations, and argued with a view to prove that the resolutions of Mr. Sheridan were not founded, but that the resolutions of the Chancellor of the Exchequer were agreeable to facts.

Mr. Sheridan said, why should the honorable gentleman wish to leave out the baneful year 1786, and yet avail himself of the prosperous 1790? This difference, so striking in the produce of different years, was easily accounted for. Means would be contrived, by which the income of one year might, for a particular purpose, be swelled out, and the deficiency made to fall upon the next; and that with a view of making the income of the country appear in a more advantageous light than it could really bear, as was the case with the income of the year previous to 1786. Hence proceeded the deficiency which, according to the honorable gentleman's expression, had so woefully fallen upon that year. From the same cause, he would venture to predict,

that the income of the present year would not be equal to that of the preceding. That the extraordinary expenses were out of the view of the committee of 1786, Mr. Sheridan denied to be the case ; but he had no objection to the right honorable gentleman's amendment, if the figures were right. The fair way of taking the land and malt taxes, he said, was on the annual produce, including the arrears of former years paid in ; because the latter would, on an average, be pretty equal. The produce was over-calculated, and the interest of exchequer bills, from the way of making up the account, was underrated, making a difference of more than 40,000*l.* a year.

Mr. Pitt and Mr. Rose next spoke.

Mr. Sheridan replied, that the advocates of the report of 1786 never could meet him before ; and could not do it now, without taking into the account of the year 1790 many sums that were anticipations of the revenue of the current year. Yet with all this, and their five years tinkering of revenue laws, they were only able to shew an average exceeding of about 50,000*l.* Strike off what they had got by new taxes and anticipations, and, he said, they would still be deficient to a great amount.

The amendment was agreed to, and the resolution so amended, passed the committee.

Mr. Sheridan then moved the second resolution. He said it was taken from the resolution of 1786. He had left out some words, because they were more favourable to his argument than he thought it required. These he would add as an amendment ; and let the committee then vote, that words were not in the report, which were copied from it, if they could.

The amendment was agreed to, and the resolution so amended negatived. The third and fourth resolutions were afterwards agreed to with some amendments. The chairman was ordered to report progress and ask leave to sit again to-morrow.

JUNE 7.

REPORT OF THE FINANCE COMMITTEE OF 1791.

Mr. SHERIDAN said, that those of his resolutions which had been already moved, had met with so discouraging a reception, that he now found he had nothing to gain, and that all his exertions in their favor would be useless. Having experienced, however, so much opposition to his statement of the income of the country, he should now only try whether the same opposition would be continued to his statement of its expenditure, and for this purpose go on with a few more of his resolutions. He should take occasion, at some future period, to bring them all forward in a form in which they might be inserted on the journals of the house.

The resolutions from the 5th to the tenth were then read, and after some short and desultory conversation, successively negatived.

Here Mr. Ryder moved,—“*That the total amount of the interest and charges of the public debt, and of the sums issued for the reduction thereof, of the charges on the aggregate or consolidated fund, and of the sum granted for the supplies, during the last five years, excepting the sum of 207,000*l.* which remained to be provided for in the present year, under the head of deficiency of grants, has been defrayed by the produce within the said years of the permanent taxes, by the annual aids on land and malt, and by the sums arising from extraordinary resources, with the addition of a loan of one million raised by tontine, and of 187,000*l.* raised by short annuities.*” Which motion, after some conversation, was carried.

They then proceeded to the 11th resolution, upon which Mr. Pitt moved an amendment,—“*That the sum for defraying the armament of 1790, and keeping up the additional number of seamen, was defrayed independently of the ordinary income.*” This amendment was adopted. The 12th, 13th, and fourteenth resolutions were then read, and negatived; the 15th was also negatived without a single objection stated; the 16th was agreed to; the 17th, with an amendment, enumerating the several articles which raised the estimated expenditure of 1791 so much above that of 1786, was also agreed to.

Mr. Sheridan now moved an additional resolution, in substance “*that the estimated expense of the navy, army, ordnance, militia, and miscellaneous services, by the report of the committee of*

1791, exceeds that of the committee of 1786 by 434,293*l*." which was agreed to.

The 18th was negatived, and the 19th, as dependant on the former, withdrawn.

On the twentieth, Mr. Steele proposed amendments, stating that the excess of the sum voted for the service of 1791, above the estimate of the committee of 1786, includes various articles of expense, that will not occur again.

Mr. Steele's amendments were introduced, and the resolution agreed to. The 21st and 22nd were withdrawn; the 23d was agreed to, with an amendment; the 24th was negatived without any objection stated; in the 25th, Mr. Ryder introduced the substance of several others, though in a very different form; the 26th was withdrawn; the 27th, 28th, and 29th, were negatived without any objection stated.

Mr. Fox here observed, that the intention seemed to be to negative all that were evidently true, and that could neither be supported nor opposed by argument.

The 13th resolution was then read. Mr. Pitt moved an amendment, that the words from "that," to "money," be left out, which was accordingly adopted.

The 32d, 33d, and 34th resolutions were negatived.

*Here Mr. Pitt moved, "That during the said five years the sum of 5,424,592*l*. including 674,592*l*. arising from annuities expired or unclaimed, and from dividends on stock bought, has been applied to the reduction of the national debt; and that the annual interest on the stock bought, and the present amount of the annuities expired or unclaimed, appears to be 254,804*l*., in addition to the million annually charged on the consolidated fund." The motion was put, and carried.*

The remaining resolutions, the 35th, 36th, 37th, 38th, and 39th, all were a negative.

The report was ordered to be received the next day.

JUNE 8.

REPORT OF THE FINANCE COMMITTEE OF 1791.

Mr. SHERIDAN said, that unsuccessful as his exertions had been to obtain a true statement of the revenue and expenditure for the last five years, he would not, as his opponents had done, attempt to negative any resolution of fact. The resolutions which he had moved, he was certain, exhibited a more clear and correct view of the finances, than those

contained in the report; and for that reason, he should move the previous question.

The previous question was negatived, and a string of resolutions moved, and agreed to.

Mr. Sheridan said, that having given notice of his intention to endeavor to get his resolutions put upon the journals, which could not be done by moving them in a committee, he should now move the first.

Mr. Pitt said, that the resolutions having been fully discussed in the committee, he should move the previous question on every one of them; and which being carried on all, except the last,

Mr. Sheridan observed, that compelling the Chancellor of the Exchequer to resort to the previous question, was precisely what he had in view; as it shewed that the right honorable gentleman felt the resolutions to be facts, and dared not allow them to stand on the journals as negatived. Mr. Sheridan said, the last of his resolutions, with a little alteration in the preamble, was as applicable to the resolutions adopted by the house, as to those with which it was originally connected, and he should take the sense of the house upon it. He then moved,

“ That, upon due consideration of the report made this day from the committee of the whole house, to whom the consideration of the report from the select committee of 1791 was referred; and also upon consideration of the two reports of 1786 and 1791; and of the several accounts before the house relative to the public income and expenditure, it appears proper and necessary to declare, that the great increase proposed to the permanent peace establishment, in the report of 1791, ought not to be considered as receiving countenance or approbation from the house of commons, until the causes of the same shall be explained, and the necessity of them made manifest.”

The house divided—ayes 19; noes 34; majority 15.

SUMS VOTED FOR CARLTON HOUSE.

The report was brought up by Lord Sheffield, the chairman of the committee, who moved that it should, with an humble address, be submitted to His Majesty.

Mr. SHERIDAN recommended it to his lordship to move "That the report lie on the table and be printed." The object was, that the whole transaction might be fairly known, and the misrepresentations done away which had been circulated respecting it. This he wished more particularly, on account of the extraordinary mistake of keeping back a paper (No. 5) which he had long contended was delivered in at the Treasury, and which was at length produced. The omission had made a deep impression on many gentlemen; and was the more extraordinary, as the paper was the most important of all; shewing how the money had been applied; and the papers first presented, among which another was substituted for this, containing a note, signed George Rose, stating "the commissioners of the Treasury had no official knowledge of the application of the money, after it was issued." Mr. Sheridan said, he did not mean to take any further notice of this; but he hoped those in whose care the paper was, would be severely reprimanded by their superiors for the neglect.

The report was ordered to be printed.

FEBRUARY 17, 1792.

STATE OF THE PUBLIC INCOME AND EXPENDITURE.

*The house resolved itself into a committee, to consider the state of the finances. Mr. Pitt represented them in so favorable a light, that a diminution of the public burthens might reasonably be expected. The permanent taxes, from 1791 to the commencement of 1792, had produced 16,730,000*l.*; exceeding the average of the last four years about 500,000*l.*; deducting from which the total of the expenditure—amounting by the reductions proposed to 15,811,000*l.**

*—the permanent income would exceed the permanent expense, including the million annually appropriated to the extinction of the national debt, by no less than 400,000*l.* The supplies wanted for the present year would amount to 5,654,000*l.*; for which the means provided amounted to a sum, exceeding the former by 37,000*l.* From the foregoing statement, Mr. Pitt was of opinion, that the surplus of the 400,000*l.* would enable government to take off such taxes as bore chiefly on the poorer classes, to the amount of one-half of that sum; and to appropriate the other half to the diminution of the public debts. By the methods projected for the redemption of this debt, 25,000,000*l.* would be paid off in the space of fifteen years; towards which, the interest of the sums annually redeemed should be carried to the sinking fund, till the annual sum to be applied to the redemption of that debt amounted to 4,000,000*l.* Having made this favorable representation of the state of the finances, Mr. Pitt finished by a warm eulogium on the actual prosperity of the nation.*

Mr. SHERIDAN said, the splendor of the right honorable gentleman's speech had made such an impression on the committee,—they had been so led away by the figures of rhetoric from attending to the figures of arithmetic, that he should find it difficult to recal them to the true object of the discussion. He fancied, however, this dazzling beauty would not be found so captivating to the people; for after the rapturous statement of prosperity which they had heard, it would be a disappointment to them that all accounts of surplus sunk so infinitely small. Who that had read or heard the reports of a surplus of 1, 200,000*l.* of nearly 900,000*l.* being actually in hand, would have believed that in truth the surplus would turn out to be no more than 58,000*l.*?—He was generally incredulous on these anticipating reports; but he confessed, when he heard of the King's coming down, announcing a surplus, and the minister immediately after, holding out taxes to be repealed, he thought there must be some great stupendous increase of revenue; and his confidence would have been greater, if he had not unfortunately heard all the minister's former pledges, and particularly that solemn, religious pledge, that no interruption should be made to the application of our surplusses, until they amounted to four mil-

lions a year. He then examined the statement of Mr. Pitt, and drew from his review this conclusion—that the increase of our prosperity, had not brought with it a proportionate increase of our revenue. The increase of the latter was to be ascribed to the new burdens laid on the people, or to the regulations of the old taxes, which, in fact, were so many additions to them. Taking the reports of the two committees as his guide, he took the amount of the new and regulated was taxes from the general total, and shewed that the actual increase of the permanent revenue since the year 1786, was 130,000*l*. If he was asked fairly, whether the amount of our taxes, from experience, was such as to warrant the legislature to dispense with a part of them, he would frankly answer No.—But if he was desired to revise the whole system of our taxation, to see if the people might not be materially relieved from the most grievous of their burdens, and the revenue be even improved thereby, he would yield his cheerful consent, and think that the house might render most essential service to their constituents. The plan pursued by the right honorable gentleman, which was calculated to embarrass the house, caused him and every gentleman an insurmountable difficulty. It was held out to the nation, that the crown, from a motive of endearment, had proposed relief to the people, and that the minister had even named the taxes which were to be abolished. If they should, from a sense of their duty, declare this could not be done without a deviation from system, without hazard to the national credit—without disorder to the finances, the house of commons was about to be made odious to its constituents, and the crown was made the object of popular confidence. Such was precisely the case in which they stood; and yet, so far was this from being a proof of endearment, that it was a stratagem calculated to mislead and betray them. It was a complete surrender of the principle of re-

demption, We were now, in 1792, to redeem less stock than we did in 1786; for it was a clear proposition, that by the increased state of the funds, and by thus diverting so large a part of the surplus from its devoted and sacred end, we were to buy up less annuity than heretofore. What was the reason of all this? If the right honorable gentleman was called upon to say why, with this prosperous revenue, we were to redeem less debt; he would answer, because we could not afford it. Why the right honorable gentleman did not think it right to extinguish the unfunded debt, a great part of which bore interest, and hung about our necks with great inconvenience, as the right honorable gentleman felt in his Spanish armament, he could not take upon himself to say; he supposed it was that only would be a proper, but not a splendid measure. It would be a great and effectual benefit to the revenue, but it would not serve the purposes of momentary fame, by taking off the odious taxes which he had laid the year before. He now proved how well he could have opposed these taxes, if they had come from any other person; and the house would now find, by his own language, how much they had been to blame in yielding to the arguments by which they had been originally recommended.—The house would see now, though the ungracious task had been imposed on them to lay these taxes, their constituents were not to look to them for their relief. A new feeling of hope was to be inspired into the people—a new feeling of gratitude was to be planted in their bosoms—they were to be taught to petition for relief from taxes. It was a very delicate subject for every gentleman to speak upon; it was laying an embargo on the house. No man could put himself into the ungracious state of opposing the repeal of afflicting taxes. Who could deny to the poor family the boon of getting their candles a halfpenny cheaper? If a severe sense of duty should urge gentlemen to look the true si-

tuation of the country in the face, and to oppose this artful and insidious way of attacking the privileges of the commons house of parliament, he knew well how easily a cry might be raised against him, and with what facility he might be made the victim of a little well-managed misrepresentation. He remembered a line or two of some verses made upon his honorable friend, by one of his constituents, which never failed to produce a torrent of applause; not from the elegance of the poetry, so much as from the sturdy *ad captandum* praise which it gave him. His friend, who, with all his merits, had certainly no pretention to the praise, would pardon him for repeating it.

“ Whenever a tax in the house was projected,
Great Fox he rose up and always objected.”

Now this, which was certainly untrue, might be turned very neatly to the detriment of those who might think it their duty to enquire before they acted—to ascertain whether we really had a surplus before we gave up our income; and at any rate, the grace should come constitutionally from that branch of the legislature which had the power of the purse, and which had been called upon so unmercifully by the same right honorable gentleman to draw the strings. Why had he not waited, and given the house the grace of originating the measure? The truth was, it had been craftily considered as the best answer to all the imputations against him for the Russian and Spanish wars; so at least other men, who had less candor and respect for him than he possessed, would insinuate. They would draw strange conclusions from the circumstances; and the nation might be brought to think that blunders were more advantageous to them than wisdom:—that when he was convicted of error, he distributed to them relief. A session without a blunder, would be a session of calamity; but an armament would be desirable. I have in-

volved you in a quarrel with Spain—here, there's a tax upon malt for you—I have made the English name ridiculous all over the world, by bullying Russia—here take back the female servants, I have no use of them.—I have involved you in a war with Tippoo Saib—take your candles a halfpenny cheaper in the pound. Thus they are to be taught to love misfortune—to be enamoured of misconduct—and if an administration should succeed him, where wisdom and prudence produced their usual effects of security and quiet, the right honorable gentleman would be at the head of the most violent and clamorous opposition that ever this country witnessed. They would call out for a change.—“ Give us back that bustling and dangerous administration, that went on arming and unarming ; taxing and untaxing ; who committed so many blunders that they were for ever making atonement ; who broke our heads that they might give us a plaster. We abhor this uniform system of order and quiet.” The sentiment this conduct was calculated to excite, was tumultuous and alarming ; it was appealing from the judicious to the giddy ; and, seriously speaking, every judicious man would know and feel, that if there had been no Russian armament, there would have been no repeal. He then shewed, that, by the original statute, the malt tax now to be abolished, would have endured only of itself a few months longer. But by this management, a considerable part of the exchequer bills issued for the Spanish armament might in 1795 come on the consolidated fund, and be a grievous burden to us. He alluded to Mr. Dundas's assertion, that it was infinitely more probable that we should receive aid from India sooner than we should be called on for assistance to India,—an assertion at which Mr. Pitt, though he knew the full amount of his friend's confidence, could not suppress a degree of stifled astonishment. He seemed, on the occasion, to feel the sentiment expressed by Earl Cornwallis, “ That he

hoped he should never be reduced to a wretched and precarious dependence on the bazar of his Mahratta ally." He recalled the words of Mr. Dundas, that such was the awe and power of our arms in India, as to make us disregard its united force in array against us. Was he to believe this on the assertion of Lord Cornwallis—that the finances of the Company were actually ruined by the protraction of the war? He concluded with saying, that in order to give to the nation the true benefit of wise reduction, if reduction was practicable, and to save them from the partialities likely to arise from the vanities of authorship; he should, at a future day, propose, that a committee be appointed to revise the amount, nature, and effects of the taxes, on the laborious and indigent classes of the community; and to report to the house what abolitions might be made therein. This he should at least propose, and place upon the Journals.

Mr. Pitt replied.

Mr. Sheridan said, the right honorable gentleman had completely misrepresented what he said, and meant; if he thought he gave him any credit for the surplus of the revenue, or the general prosperity of the country, the contrary was the fact; for he never had ascribed to his ingenuity, either the one or the other; though he certainly had ascribed to his art and management the use that was made of both. With regard to India, he found that the honorable gentleman wished to say, that he coincided in opinion with his right honorable colleague; but he did not know, whether the right honorable gentleman would thank him much for what he had said. The right honorable Secretary had affirmed, that the fact would be as he had stated it; and the right honorable gentleman had said, hypothetically, that if the war is terminated, he has not a doubt but it will be so when he comes to make conditions with the Company for a renewal of their charter. He still

thought, that there was so much dread on the part of ministers about the opinion of the country, on the war with Russia, which, but for the timely and constitutional interference in that house, they would have plunged us into, that they wished to avoid the effects of it by soothing the people with an idea of lightening their burdens, and taking off taxes, most of which they had themselves put on. As to the arguments for preferring the mode of taking off taxes in place of paying a part of the unfunded debt, he was perfectly against it, because he thought that was where they ought to have begun. And he would only say, that the minister, by taking one mode, might have done a silent, quiet, and essential benefit to the people; whereas, the one he has taken is an ostentatious, delusive, and dangerous appeal to popularity for the moment, without any regard either to principle, or the real lasting good of the country.

At length the house coincided with Mr. Pitt's proposal for a repeal of those taxes on some articles that were the most unpopular.

FEBRUARY 24.

REPORT OF THE COMMITTEE OF SUPPLY.

The resolution for taking £400,000 from the consolidated fund, in addition to the million for the reduction of the public debt, being read,

Mr. SHERIDAN rose to call the attention of the house to the mode of anticipation, which the Minister seemed inclined to pursue in his system of finance. He considered that anticipating the produce of a fifth quarter, was nothing but a loan from the ensuing year, because the money which was asked to be applied towards reducing the national debt, was really not in our possession; and voting money which we had not, without encroaching upon the produce of the ensuing year, appeared to him laying on a debt, by borrowing from ourselves, and

was worse than any other loan that we could obtain. He said, by this mode of anticipation, it was impossible that any actual statement of the public accounts could be made up or settled till after the 5th of April; and of course the revenue bills would all of them come to be discussed, as had been the case for several years past, in thin houses, and at a season of the year when it was not probable either that the attendance of members could be secured, or these revenue bills meet with that attention which their importance required. That this had been the case in former years, he believed no one could deny; and the unprecedented hurry and bustle which had accompanied those bills in their progress through the house, was in the recollection of every gentleman; as by anticipating the quarter, ending the 5th of April, not one of those bills could be passed till after the Easter recess; and he insisted, that bills of the utmost consequence had been passed in a manner without any notice. The house had received a very striking instance, in what had fallen from a right honorable gentleman opposite to him, on the bill for granting and continuing bounties on the Greenland whale fishery; which, though brought into the house by himself, he seemed to have no knowledge of at all; and he said, with truth, that it passed last year without any notice. With regard to the attendance being thin after Easter, it might be said, if the revenue bills remained to be passed, it was the duty of members to attend; this was true, but experience had repeatedly shewn us that it was not practicable. Upon this part of the subject, he begged leave to address himself particularly to that respectable set of men, the country gentlemen, and no man could entertain greater respect for them than he did.—The delaying of the revenue bills till a late period was a matter particularly interesting and important; it was their duty, in common with the rest of the house, and even more particularly so, to observe that vigilance and regard for the public income and ex-

penditure, and that scrupulous attention to every measure that took money from the pockets of their constituents, so much and so properly enforced in the conclusion of the right honorable gentleman's celebrated finance speech. They were the stewards of the public purse; and he would ask how it would become them to meet their constituents before the public business of the session had been entered upon? Might not their constituents say, we are very glad to see you; but pray tell us, is all the business of the session over? Would they answer, No; the tax bills, and all the other revenue laws are still to be passed, but so late in the session, we could not wait till they came on; we have left the whole of that business to the Chancellor of the Exchequer, whom we believe to be a very good sort of man, and who will not think of doing any thing wrong. This, he imagined, would not be thought quite doing the duty of a member of parliament. He next objected to this system of anticipation, because there was no saying how far it might be carried; and the greater the ability of the minister, there was the more cause to fear its pernicious effects. If we could anticipate the produce of one quarter, by borrowing it from the ensuing year, might we not, upon greater emergency, anticipate two quarters, or three?—The advantage which this system held out, when compared with the many and great inconveniences attending it, was very small indeed; and if the right honorable gentleman would wait till he had got the money, certainly his plan would not be much deranged. Perhaps it might fortunately happen, that the three quarters of the next year might be equal to the wants of the whole year; and, in that case, the right honorable gentleman would have the surplus of the other quarter to appropriate as might appear proper; but, until that was known to be the case, they were voting away money which they really had not to give. So much for the system itself, now for the application of it. If we really

had a sum of 400,000*l.* to apply, it ought to be applied towards paying off a part of the unfunded debt; which, it had been stated by the committee of 1786, ought never to be allowed to exceed 1,700,000*l.* It was now considerably more, and part bearing interest of 4 per cent. By doing this, instead of buying up 3 per cents., he said, the country would be a gainer; and with regard to the probability of being sooner able to come at the 5 per cents., by the actual reduction of twenty-five millions of the national debt, he could not see that the right honorable gentleman's scheme would answer that purpose; for, certainly, whilst such a load of unfunded debt remained unpaid, he could not by any fair construction of the law, or by any thing but a kind of juggle, pretend to redeem the 5 per cents. The discharge of such a part, at least of the unfunded debt as bore interest, would, undoubtedly, be a more proper application of the money, although not, perhaps, so sounding and popular.

His third objection was, that the money would be wanted for the expenses of the year, unless it was meant to have recourse to a lottery; a mode of raising money which he had often deprecated as infinitely more injurious to the morals and industry of the people, than it could possibly be advantageous to the revenue. It was formerly never resorted to, but in time of war and public necessity; and he was sorry to hear it was intended as to be continued in time of peace.

He concluded with stating, that his first proposition would be, that the 400,000*l.* should go to the ways and means of the year; so that the accounts of income and expenditure might in future be made up on the 5th of January; and if he should fail in that, his second would be, that it should be applied to the discharge of the unfunded debt; but in order to introduce either of these, it was first necessary to move that the report be re-committed.

Mr. Rose, Mr. Steele, Mr. Fox, and Mr. Pitt, followed.

Mr. Sheridan, after expressing his hopes, that the house would indulge him in greater latitude of explanation, than was strictly regular, on account of the turn which the debate had taken, said he should leave the two gentlemen (Mr. Rose and Mr. Steele) who had given it this turn, to the silent rebuke of the contrast between their mode of treating the question and that of their right honorable friend. They seemed to think, that they had a claim upon him to be dull when he spoke on finance, and were offended at his attempting to enliven a discussion on which they were determined to be harsh and dry. He had revived, what they were pleased to call, the old joke; because he was called to do so by the old subject, by the mode of making up the public accounts, which had hitherto postponed the most important business to so late a period of the session, as prevented a full attendance. He thought he was doing the honorable gentleman who first replied to him a service, by recommending a mode of proceeding which would enable him to seek the shade of his forests early in the summer, and smooth and civilize his mind by classical pursuits, from the asperity and moroseness it might have contracted, in the less grateful exercise of parliamentary duties. No captious opposition had been made to new taxes, from those who sat on the same side of the house with him; but when they did object, their objections were well founded. They had now substantial proof, for the shop tax, the additional tax on candles, the tax on female servants, the additional tax on malt; in short, all the taxes they had opposed, were either abandoned in the first instance, or since repealed. The regulation of taxes they had not opposed as unproductive, but as doing what no encrease of productiveness could justify—sacrificing the constitution, and the liberty of the subject to revenue. Yet, even these regulations had, in many instances, effected nothing that might not have been accomplished without them. If, for instance,

the produce of the tobacco licences, in all respects a new tax, was deducted from the amount of the duties, it would be found, they were not more productive under the management of the excise, than they had been at a former period. The intimation that the budget should in future be opened at an earlier period, although not amounting to an absolute promise, was at least something gained, and he rejoiced in having been the means of obtaining it. It was a lame mode of reviewing an annual account before that account was closed; and this Mr. Pitt seemed to feel, by his never having attempted it before. But if by this mode, lame as it was, part of the inconvenience arising from the anticipation of the consolidated fund would be obviated, the impropriety of the application stood precisely where it did. A charge for the interest of navy debt of about 20,000*l.* was admitted, which charge 500,000*l.* would extinguish, and might be much more advantageously applied to that purpose, than to the purchase of three per cents. The revenue committee of 1786, and the house, by adopting their report, had given an assurance to the public, that in future the navy debt should never be allowed to accumulate so as to bear interest. Surely, if any regard was due to the reports of committees, and the assurances held out by the sanction of the house, the terms ought to be kept, when they had the means of keeping them.

An honorable gentleman (Mr. Rose) had said, that when he was in the high and important office of Secretary to the Treasury, the sinking fund had been anticipated for three quarters; as if a person, in that subordinate situation was to be responsible for all the measures of finance. The character of a measure might sometimes point out the author; and when he saw dull and blundering tax bills brought forward with little of mind, and nothing of liberality, in which cunning was substituted for wisdom, and tricking for intelligence, he could not help supposing that they were not the production of

any man in the superior departments of office, and attributing them to some of his subordinates. In justice, however, to the honorable men who thought him worthy of a situation under them, it was necessary to remark, that they had never proposed the anticipation alluded to as part of a system; and that it was with them only a temporary and unavoidable expedient, to cover an old deficiency.

He had avoided a general discussion of the revenue and expenditure, because he was bound by propriety, and the order of debate, to confine himself to a particular point. But did it follow from that, as had been inferred, that he abandoned all the other points he had maintained? On the contrary, he was ready to maintain them every one, whenever called upon to debate them collectively or singly. It was indeed a most curious mode of arguing, that as often as he objected to any one of the contested statements on finance, he must either go through all the rest, or be understood to admit them as true. It was equally curious to infer that, because he admitted there was at last a surplus of revenue to justify the application of a million annually to the extinction of debt, he admitted also, that there was such a surplus six years ago, and every year since that time. They might as well tell him he had pledged himself to prove, that the revenue would not exceed the expenditure in the present century, or in the next, or that the deficiency must be eternal.

While they maintained this verbal dispute, they had paid him the substantial compliment of adopting his opinions. They had taken an average of four years, as the proper estimate of future revenue; they admitted, that the estimate of expenditure, by the committee of 1786, could not be realised, and added £500,000 to his estimate of 1791; and they had admitted, as he contended, that the estimate of 1791 was larger than it ought to be, and proposed a reduction. But they imposed on the

house of commons the ungracious task of proposing an addition to the expenditure, and now took to themselves the more pleasing office of suggesting a reduction, although they were the real authors of both, whilst they were making a reduction of £200,000 in appearance, but had, in fact, made an addition of £300,000 to their own estimate of 1786. He referred to the house whether a case had been made out to induce them to vote in anticipation, the invariable consequence of which had hitherto been to put off the important business of finance till a season of the year when many gentlemen could not attend the discharge of their duty. He entreated them to consider what that duty had been and what it was likely to be in future. It had hitherto been to impose on their constituents some fresh burdens, or some new restraint, in the shape of a regulation. The fortunate period was at length arrived when they were told it would be in their power to alleviate those burdens; and it was of importance that the people should not be taught, that for taxes and penalties they were indebted to their representatives, but for ease and relief to the crown.

Mr. Pitt said it had always been his wish, and would be so in future to open the budget at an early period of the session; but he could not make a positive promise on a subject that must be governed by circumstances.

The question being put that the report be committed.

Mr. Sheridan said, that part of his object being obtained, viz. that the business of the finance should not be postponed in future till the summer months, he should not divide the house as he before intended.

The report was agreed to.

FEBRUARY 29.

ARMAMENT AGAINST RUSSIA.

Mr. Whitbread opened the debate by a long and eloquent speech, which he concluded by moving that Oczakow was not of sufficient importance to warrant the armed interference of Great Britain.

Mr. SHERIDAN said, that nothing should have induced him at so late an hour to trespass on the almost exhausted patience of the house, but his astonishment at the contemptuous silence of the minister, that consistency of insult, that climax of haughtiness, with which he had treated the house, and now refused to answer on the day of his trial. He had formerly told them, that when the day of discussion came, he would assign the reasons for his conduct. The day of discussion was come, and he was silent. If he thought himself sufficiently defended by those who had undertaken to plead his cause, he was much deceived; for he had involved himself in a labyrinth of difficulties, which had not a path that did not lead to disgrace. If he had any defence to make, it was a secret locked up in his own breast, neither communicated to his friends, nor imparted to his colleagues. Every succeeding defender confuted the defender that had gone before him.

If they had asked how they should plead his cause, he could not tell. If they maintained that Oczakow was of no consequence, they could not answer his exposing the country to the hazard of war on account of it; if they maintained that it was of consequence to justify an armament, they could not answer his giving it up. If they said that he yielded to the opinion of the house, they must be told that the majority of the house was with him; if they said, that he yielded to the opinion of the public, the opinion of the public was against his arming. On neither side could he escape. If he

was wrong in his principle, he ought to be disgraced ; if he was right, he ought to be impeached for abandoning it. If, indeed, Russia, commanding a numerous and hardy race of subjects, possessing great extent of territory, without disunion ; and accumulation of power without unwieldiness, were to take possession of Constantinople, to occupy the Euxine, the Hamoaze and Catwater, with her fleets, where no European eye could see or examine their force till they poured into the Mediterranean, then he would admit that her power might be dangerous to this country ; but before he admitted that we were to arm to prevent this danger, the minister should prove that it was probable ; and if he did this he must stand convicted of a great crime in abandoning an object of so much importance, without laying such information before parliament, as would enable parliament to compare the probability of the danger with the practicability of venting it. An honorable gentleman, whose more than promise of great abilities men of all parties must have rejoiced to hear, had execrated the impolicy of the ministers of Charles the Second, in not opposing the early ambition of Louis XIV. If one side of the minister's defence was well founded, he might live to execrate his impolicy in neglecting to oppose the ambition of Russia, after equipping an armament for the purpose. If his own majority forgave him, the minority readily might. To the latter he had bowed as the organs of the public voice ; to the former, he said, in deeds more forcible than words, " I know what stuff my majority is made of, and how little its voice can be called the voice of the public." It was common for him to change his principles, to come forward with propositions on commerce, fortifications and armaments, with " unless these are adopted I cannot be useful as a minister. I cannot be accountable for the defence of the country, I cannot answer for

the balance of Europe." And the moment they were rejected or abandoned, to congratulate the house on the prosperity of commerce, the security of the nation, and the favorable situation of the European powers. These were charges which he must not be suffered to put upon the house. The minority would bind him to the principle they had opposed, and convict him on it—he had almost said the majority, which he thought they might, but hoped they would not, that they might not be mistaken for the former majority on the same subject.

The honorable gentleman to whose speech he before alluded, had found it necessary, in explaining his system, to take into account the restoration of France, in order to provide us with a proper enemy. If something, he had said, like the old Government should be restored in France, we should then have all the ambition, treachery, and chicanery to deal with, of which he formerly complained. If a free government should be established, we should then have a neighbouring power less likely, indeed, to be at war with us, but much more formidable whenever war should occur. How then ought we to prepare ourselves for meeting the energy and vigor which a free government might give to France? How but by fortifying our constitution, by recalling it to its true principles, and banishing from it this proud reserve in ministers, which disdained to give information; and this unmeaning confidence in parliament, which could vote money without it. Instead of this we were advised to take up the vices which France was throwing away; we must meddle and interfere in the affairs of other powers; we must have Holland for our ally, and Prussia to protect Holland. That Austria may not attack Prussia, we must excite the Turks against Austria; and to enable the Turks to defend themselves against Russia, we

must get Sweden to make war on Russia,—however far we went on, something more was still wanting. Like the earth, supported by an eagle the eagle by the elephant, the elephant by a tortoise, &c. A support was always wanted for the last supporter. All this we had done; and what had we got by it?—disgrace, contempt, and reprobation.

He would advise the honorable gentleman who traced out this system, to abjure it in time, as neither according with the English constitution, nor the English character. Double dealing might be of service to despotic governments; it might serve a despotic minister, and perhaps be of temporary service to a country; but the occasional advantage was more than ten times overbalanced by the mischiefs it brought with it. The mere clerks of despotism, in this respect, would be an overmatch for the legislators of a free state. The character of our constitution was manly, frank, and undisguised. He loved to see the minister assimilate his character to that of the constitution. He would love in it those qualities which he himself possessed; every sympathy of his nature would dispose him to reverence and to cherish them; and pursuing ostensible objects by direct and honorable means, he would tower, by the natural energy of candor and wisdom, above the miserable props of chicanery and cunning. If, instead of this, a minister should assimilate the character of the constitution to his own, his progress might be towering indeed in lofty misery, but it would be bottomed in shallow craft.

The honorable gentleman, whose speech he had more than once quoted, had unguardedly, in the course of his speech, talked of the want of good faith of the emperor. Such language, when speaking of crowned heads, was always improper, because generally unwise, and frequently dangerous.—How did the honorable gentleman know, that we

might not soon have occasion to court the Emperor, as we had lately courted the Empress, of whose breach of faith, a few months since, that house and the country rung again, though now we had changed our minds so much, that her bare word was considered by us as a sufficient security for engagements of the most important nature.

He now came, he said, to the papers. He referred to the memorable speech of a worthy magistrate, Mr. Brook Watson, whose eloquence was easily remembered, as it was never flippant and unemphatic. He had called on the house to turn their eyes from the S. W. of America to the N. E. of Europe, as the true destination of the armament then preparing. The right honorable gentleman thought proper to deny this account given of the destination of the fleet, and parliament had been pestered with it in a double sense. He should, from the papers, suppose that they had in truth been treacherous even to Russia, and he quoted a passage, to shew that they held a double language to that court, and pretended to follow up and act upon its system, while in reality they were offering to Russia their good offices, evidently to get themselves out of the dilemma in which they were involved. They prayed only for the free navigation of the Dniester as an *adoucisement*. This was the term made use of as a sweetener, or as a similar term had been once called, a *dulcifier*, to satisfy the people. The Empress, with a vein of sarcasm, granted them the sweetener, but by making them parties, and, as it were, allies in her new system of armed neutrality; for she made it a stipulation that they should go to the Porte, and demand the same on their part. The entry of the Grand Vizier (Mr. Pitt) into the Divan, accompanied by the *Reis Effendi* near him, (Mr. Dundas) must have been a very curious spectacle.

He thanked his honorable friend for the thought.

—What sort of reception, and what sort of dialogue must have taken place!—Well, they must have asked him, what glorious terms have you procured with your grand fleet? Have you humbled Russia? Does she tremble at your power? Does she crouch? Have you burnt her fleets for us? Have you demolished Petersburg?—A melancholy No must have been the answer to all these interrogatories. What! does she not repent that she provoked you? But have you made her give up Oczakow? that your sovereign has pledged himself for! No, none of all this. Instead of telling them to be tranquil in their minds, instead of assuring them that the pigeon of Mahomet might perch in safety, and no longer fear that the eagle of Russia would pounce upon the harmless victim—they must say, No, none of all this. But we have engaged that if you do not comply with every tittle that she demands of you before we presumed to interfere, we shall abandon you to all the consequences of war.

He challenged the right honorable gentleman with continuing the armament not to produce acquiescence in his demand, but it had its continuance in a deeper cause—from that proud obstinate spirit that would not confess its error. It was kept up, and all the violence of impressing continued, to preserve a haughty appearance of character for himself, when he had sacrificed the dignity of his royal master, and the fleet of England was made to ride in affected pomp, but in truth a disgraceful array at Spithead, exhibiting in novel manœuvres the zig-zag type of his own conduct. He then spoke of the confidence which had been the topic of discussion, and he laid it down as an invariable maxim in the constitution, that no money should be called for, and taken out of the pockets of the people, without stating the positive use to which it was to be applied.

The debate was adjourned to the following day, when Mr. Whitbread's motion was rejected, by 244 against 116.

MARCH 26.

ROYAL BURGHS OF SCOTLAND.

Mr. SHERIDAN gave notice of his intention, early after the Easter recess, to make a motion for a reform of the royal burghs of Scotland.

REPORT OF THE COMMISSIONERS OF WOODS AND FORESTS.

The house having resolved itself into a committee on this report, Mr. Pitt observed that upon the present occasion he would not trouble gentlemen by entering into the particulars of the reports before them; every gentleman in the committee, he said, must be fully convinced of the necessity of the adoption of some measure for the preservation and increase of timber for our navy; to that point he should call the attention of the committee, and not to any thing relative to the crown lands, the final report on which had not yet been made. In what he had to submit to the committee he should confine himself to the report on the New Forest in Hampshire. The first proposition in the bill he should move for, would be to enable His Majesty to empower the enclosing of 20,000 acres of the forest, for the growth of timber, and to give powers to the persons appointed for the said purpose to throw open as much of the enclosure as might be sufficiently grown, and to enclose an equal quantity of the forest, for the purpose of always keeping 20,000 acres enclosed. In the bill also would be a provision of compensation to the persons who had a right of common in the forest, and that provision, which, he said, would be an ample one, was intended to be the confining of the deer, which His Majesty had a right at present to let run throughout the whole forest, to certain parts. The second provision of the bill would be to prevent injury to the timber; and the third, for the presentation of periodical reports to parliament. He concluded by moving, that the chairman be directed to move the house for leave to bring in a bill for the preservation and increase of the timber in the New Forest, &c. &c.

Mr. Sheridan lamented that the right honorable gentleman had not gone more fully into his plan, which, he said, would, in his opinion, prove to be a matter of great importance, and to which there would be no inconsiderable objection. It was a matter of regret, he said, that after seven years employ, the commissioners had not been enabled to

make a final report on the crown lands. He had hoped that such a report would have been ready; and that the right honorable gentleman's proposition of that day would have been one great scheme for the public benefit. In his expectation, however, he had been deceived; he would not, nevertheless, upon the present occasion, trouble gentlemen farther than he had done, but reserved himself to the production of the bill.

The question was put and carried.

APRIL 4.

LOTTERY BILL.

The order of the day being read for committing that bill to a committee of the whole house,

Mr. SHERIDAN said, he had omitted no one opportunity, since he had enjoyed the honor of a seat in that house, of opposing lotteries; however, the subject had been so fully discussed, and so ably argued, that he should not have spoken upon it at all, but from what had fallen from the right honorable gentlemen. He had expected, Mr. Sheridan said, the right honorable gentleman would have sat silent and abashed, conscious that he could not advance a single argument in favor of a practice so destructive and mischievous, as raising revenue by lotteries. The right honorable gentleman, from what he had said, seemed to think the wisest way to get rid of this evil was by degrees. On the contrary, Mr. Sheridan said, he was for an immediate, not a gradual, abolition of lotteries. The right honorable gentleman had said, the drawing could not be shorter than usual, because the bargain was struck; he agreed with the right honorable gentleman that they must keep to their bargain; but was not what the right honorable gentleman had said, an argument against having any lottery

at all? The honorable gentleman (Mr. Rose) Mr. Sheridan observed, had said, if we had no lottery, Ireland would have one;—did not every body know that a lottery in Ireland was not a measure moved by an indifferent member of the Irish house of commons, jumping up and proposing a lottery, but was a measure of the government; and if the Chancellor of the Exchequer of Ireland did not move a lottery as a part of the finance of the year, the government of Ireland would institute no lottery there? The whole, it was well known, depended on the government here. The minister said that all the measures of the ways and means were already brought forward;—that was very true; but the house was not bound to give him discretionary power over things that appeared unwise; for his part, it should be remembered, that he at the opening of the business had objected to this very measure. If the minister must have a discretionary power over 300,000*l.*, Mr. Sheridan declared it to be his opinion, that the better way would be for the house to vote him that sum of money to be raised on exchequer bills; and in the mean time the lottery bill to be suspended, until an inquiry should be had into all the abuses which had been already so well described. Here Mr. Sheridan recounted many of the evils of the lottery, as they came to his knowledge, when on a committee upon that subject. At first they pawned ornaments and superfluities—then furniture, that could most easily be spared—and last, came their beds, implements and tools of trade—the very clasps of their children's shoes, and the very cloaths of the cradle. He believed there was not any thing in this metropolis, that gave such pangs of affliction to the human heart, as the lottery. In short, the pawnbroker had declared, he was at last ashamed of his profession, from the wretchedness it enabled him to witness. Mr. Sheridan, on the whole of these considerations, advised the giving up of the lottery

altogether; and said, the profits might be supplied by the Chancellor of the Exchequer issuing exchequer bills to the amount of 300,000*l*. he hoped therefore the bill would at least be suspended for the present.

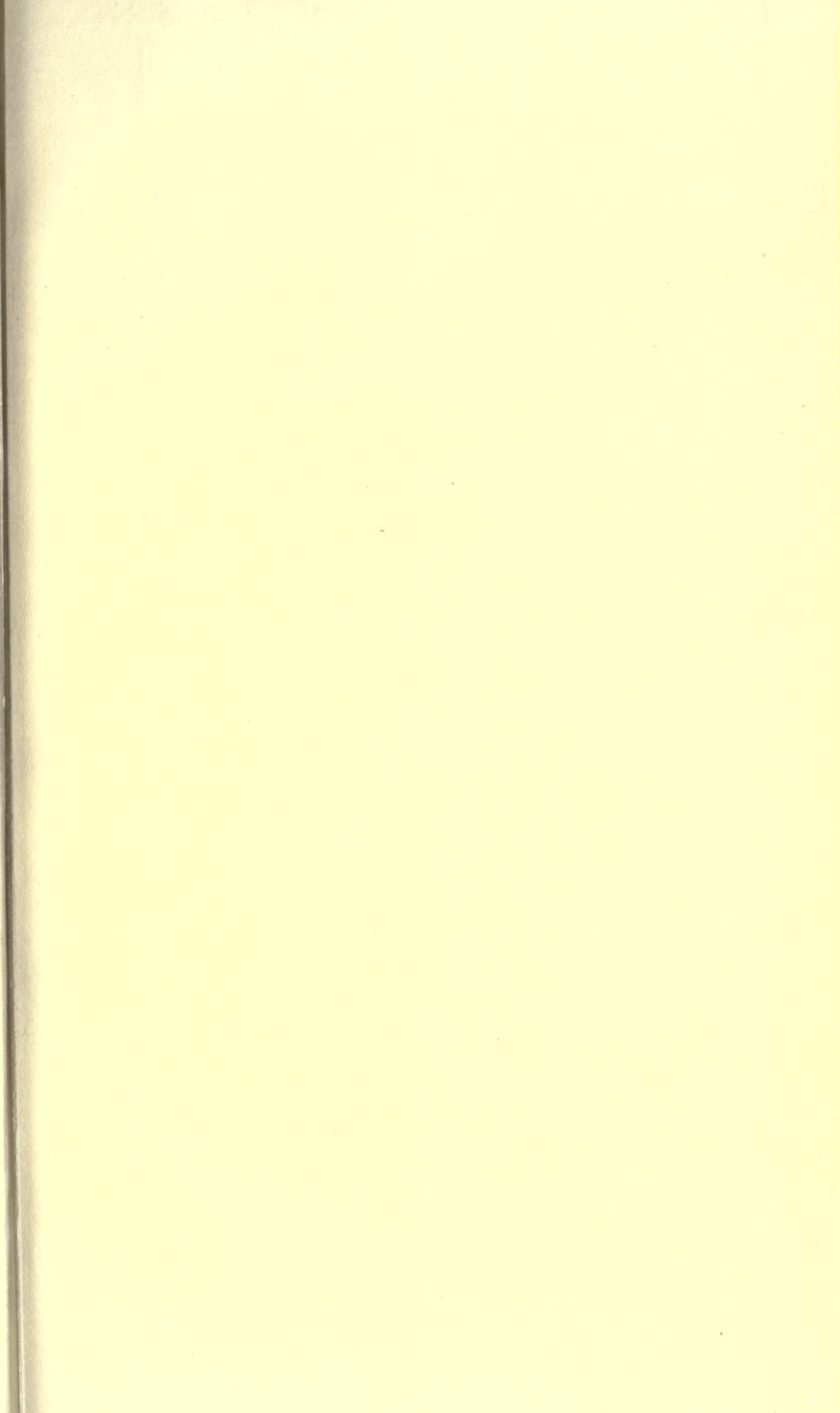
The motion for the Speaker leaving the chair was put and carried, and the bill committed.

END OF VOL. II.

and other said, the price might be supplied
by the Chancellor of the Exchequer issuing exche-
quer bills to the amount of 500,000, he hoped
therefore the bill would at least be suspended for
the present.

The motion was then carried, and the bill committed.

END OF VOL. II.







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